

J

H

h

I

i

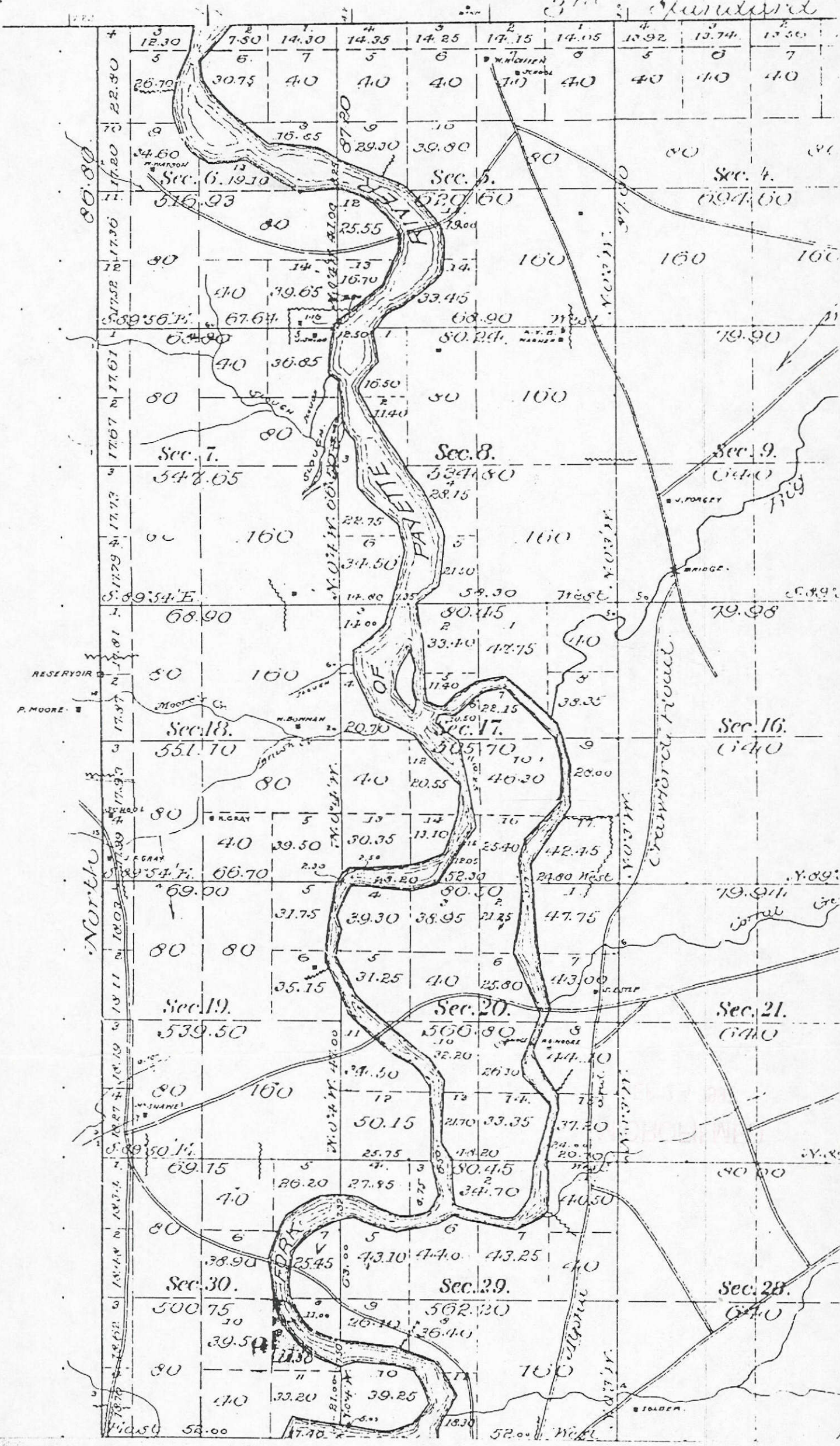
K

k

L

l

M



My commission expires lifetime

Chilson 1898 2 cfs Moores Cr. NE 1/4 18 142 Ac 114 E 1/2 1/2 1/2 Moores Cr.

Gray, James 1898 2 cfs Brush Cr. 108 Ac in 18 & 19

Gray, Wm & Nelson 1900 2 cfs Brush Cr SE 1/4 18 98 Ac

James Gray deed 1917 1899 WR 1898 WR + 2 cfs for 137 Ac 5.19 Brush Cr.

No P. 11. Chas. Gray deed 1917 4 cfs for 146 Ac 5.19 Brush Cr.

Wm R. & Chas. Gray deed 1917 2 cfs. 1900 WR. SE 1/4 18

Mrs. Edwards 1899 2 cfs ^{1/2 ditch from Brush Cr.} (Brush) Cr. 919 137 Ac.

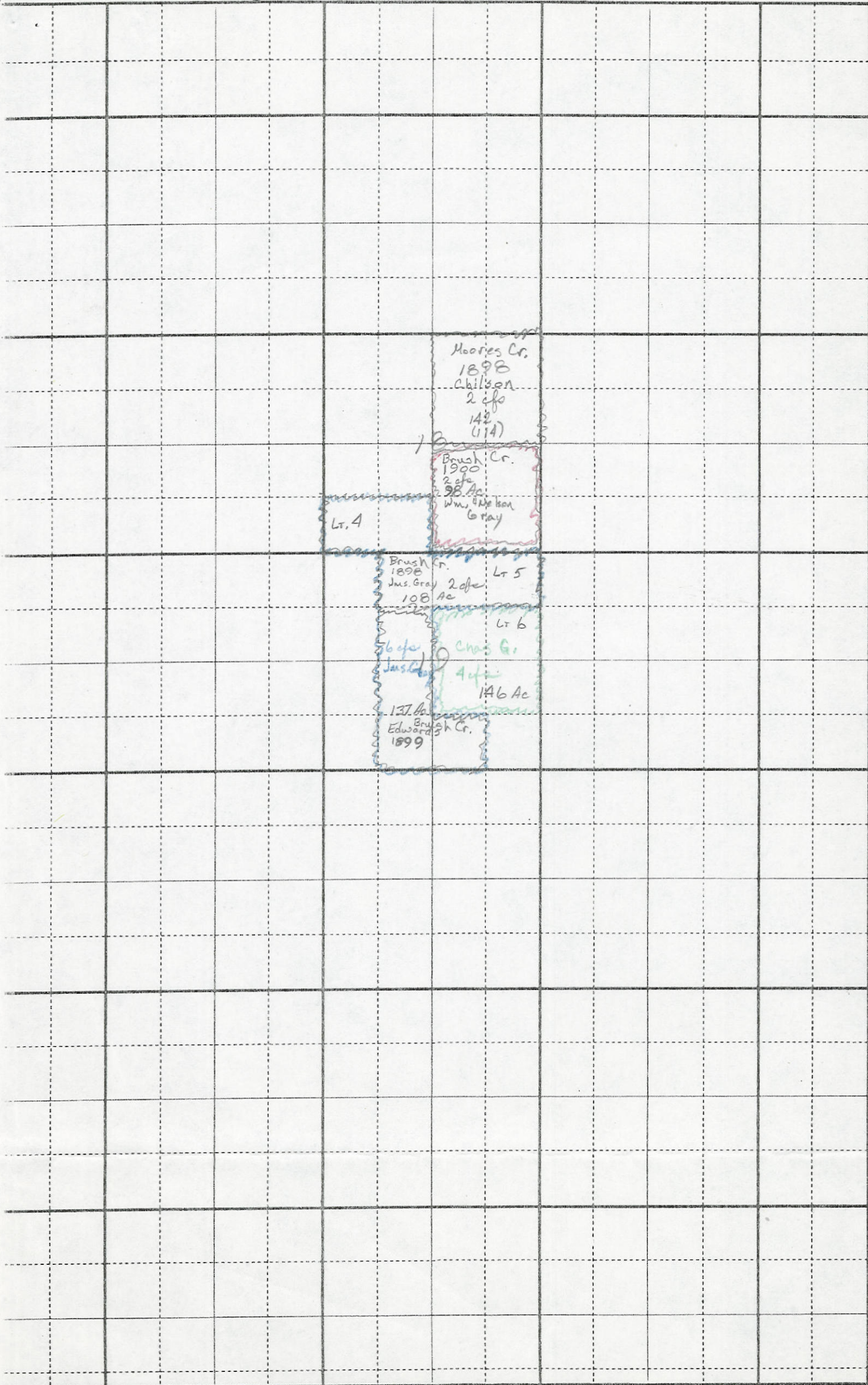
Brush Creek

Pancheri	1898	2 cfs	108 Ac	}	2 cfs	100
	1899	2 cfs	137 Ac		2 cfs	100
	1900	2 1.96 cfs	98 Ac		1.96	98
	1912 per change	<u>5.70</u>	<u>285</u>		<u>6.60</u>	<u>330</u>
		~~10.12~~ 11.66	~~306~~ 628		~~10.12~~ 12.56	~~306~~ 628

AL Little 1918 6.24 312 Ac

Moores Cr.

Leslie	1894	2.25	114 Ac		
Pancheri	1898	2	142 Ac	or 2 cfs	100
AL Cattle	1902	1.06	53 Ac		
Pancheri	1929	2.02	101	or 2.26	143



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T13N R04E

WATER RIGHT(S): 65-11250

OWNER(S): PANCHERI

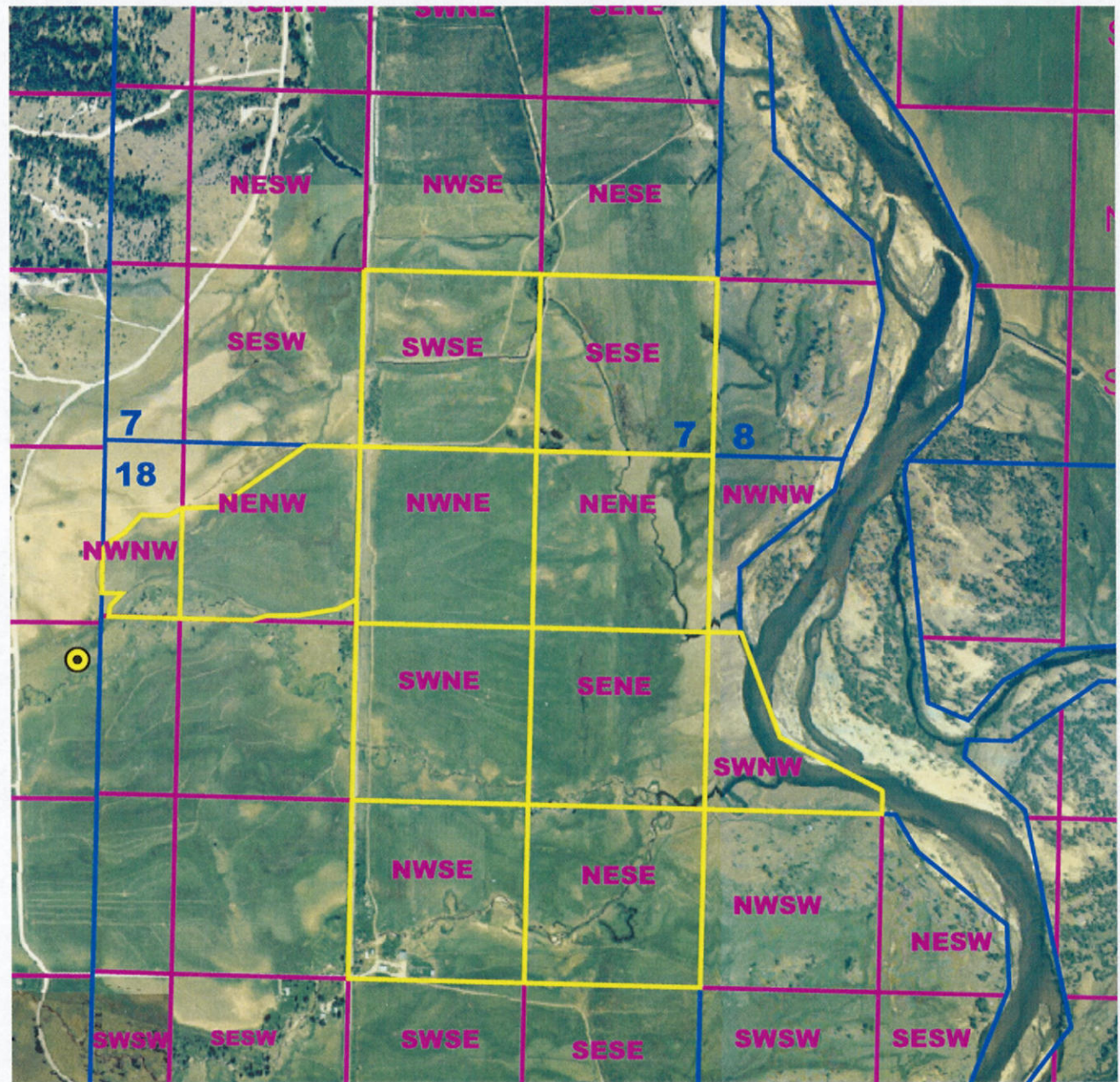
PREPARED BY SCOTT VAN HOFF

3 JUNE 1999

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES



NAPP 1987



0 0.5 Miles

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: A65-11250
Date Received: 11/21/1988
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	DUANE PANCHERI	208-495-2513
Address:	RT 1 BOX 48	
	MELBA ID	83641
OR		
Name:	LAURA PANCHERI	208-495-2513
Address:	RT 1 BOX 48	
	MELBA ID	83641
OR		
Name:	DARWIN PANCHERI	208-467-1348
Address:	9325 MISSOURI AVE	
	NAMPA ID	83686
OR		
Name:	JOAN L PANCHERI	208-467-1348
Address:	9325 MISSOURI AVE	
	NAMPA ID	83686

2. Date of Priority: MAY 1, 1899

3. Source: MOORES CREEK Trib. to: BRUSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	13	SE	NE			VALLEY

5. Description of diverting works:
DIVERSION DAM WITH DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.860		

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

8. Total consumptive use is 486.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04E	7	SW	SE		IRR	16.0
			SE	SE		IRR	9.0
						Section Acres	25.0
		17	SW	NW	4	IRR	8.0
						Section Acres	8.0
		18	NE	NE		IRR	27.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0
			SE	NE		IRR	39.0
			NE	NW		IRR	22.0
			NW	NW	1	IRR	9.0
			NE	SE		IRR	13.0
			NW	SE		IRR	24.0
						Section Acres	210.0
						Total Acres	243.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
65-2534, 65-2696, 65-6628.

14. Remarks:
RIGHT IS SUBJECT TO STIPULATIONS ORDERED BY DISTRICT COURT
12-30-86 IN GEM COUNTY CIVIL NO. 3667.
ADDRESS CHANGED PER CLAIMANT REQUEST 9/17/98. DB

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

01/22/2001

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

RIGHT NUMBER: 65-11250

NAME AND ADDRESS: DUANE PANCHERI
LAURA PANCHERI
19010 S CAN ADA RD
MELBA, ID 83641

DARWIN PANCHERI
JOAN L PANCHERI
9325 MISSOURI AVE
NAMPA, ID 83686

SOURCE: MOORES CREEK TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 4.86 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02534, 65-06628 & 65-02696 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

PRIORITY DATE: 05/01/1899

POINT OF DIVERSION: T13N R03E S13 SENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-15 10-15	4.86 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>					
T13N R04E S7		SWSE	16	T13N R04E S7	SESE 9
T13N R04E S17	LOT 4	SWNW	8	T13N R04E S18	NENE 27
T13N R04E S18		NWNE	38	T13N R04E S18	SWNE 38
T13N R04E S18		SENE	39	T13N R04E S18	NENW 22
T13N R04E S18	LOT 1	NWNW	9	T13N R04E S18	NESE 13
T13N R04E S18		NWSE	24		

243 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: BASIS OF CLAIM - Decreed

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	SUBCASE NO. 65-02534, 65-02696,
	)	65-06628 & 65-11250
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: CHANGE OF ADDRESS

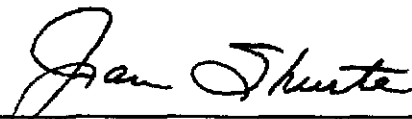
Name and New Address of Claimant:

Duane Pancheri
Laura Pancheri
19010 S Can-Ada Rd
Melba ID 83641

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: January 22, 2001

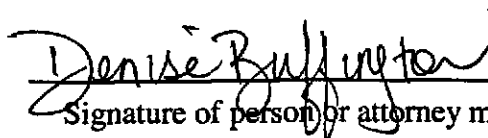


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 22, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Duane Pancheri
Laura Pancheri
19010 S Can-Ada Rd
Melba ID 83641
3. One Copy to:
Each party in the subcase or attorney of record:
N / A
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 18 2001

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[X] Water Right Number(s):

105-02534

105-021096

105-06628 & 11250

[X] Claimant Name(s):

DUANE & LAURA PANCHERI

[X] Old Mailing Address:

RR 1 BOX 48

MELBA

ID 83641

[X] New Mailing Address:

19010 S. CAN-ADA RD.

MELBA

TO 83641

Telephone Number:

(208) 495-2513

[X] Signature of Claimant(s):

Duane Pancheri

Date:

1/18/01

9/8/98 -

New address: 9325 Missouri Ave.
Nampa, ID 83686

Names: Darwin Pancheri
Joan Pancheri

if possible add our son's name -
Joseph Kurt Pancheri

✓ Phone: 467-1348

Wells: Valley Co. Idaho

✓ Fax - 467-1348



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR DARWIN PANCHERI
~~15501 STAGECOACH~~
NAMPA ID 83686

9325 Missoula Ave
Nampa 83686

per AS went
Inventory 1998

9/2/98

RE: LICENSING OF WATER RIGHT PERMITS

Dear Darwin:

After your call a few days ago, I checked the status of all your water rights in the Cabarton area. All of your permits for that site have been field examined in the last several years. The permits are now in the licensing process.

A perennial problem at this agency is not having the resources to complete everything in a timely manner. More often than not, completion of the licensing process is forced to take a back seat to more urgent work. This is regrettable but unavoidable given the present realities.

I hope that the licenses can be issued soon. The good news is that the beneficial use developed under the permits has been verified. The rights remain fully protected by completion of that verification.

Please let me now if you have any questions about this subject.

Sincerely,

Steve Lester
Water Rights Supervisor

INTER-DEPARTMENT MEMO--1

FROM Steve L.

DATE 9/15/98

TO Karibyan T.

SUBJECT Change in Address

They have B.S. 63 + B.S. 65 rights, maybe others too?

Recently I sent letter to DARWIN P. c Stagecoach Rd. address but it was returned w/ P.O. "forwarding address expired" language. I re-sent letter to new address as shown. I received the attached from Darwin on 9/10/98.

Looks like can show new address for Darwin/Jean P. per attached. Does not appear can add son's name based on this, however (?).

thanks, -R

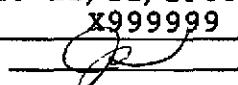
SIGNATURE

CC - Western ERBA staff for claims

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: A65-11250
Date Received: 11/21/1988
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	DUANE PANCHERI	208-495-2513
Address:	RT. 1, BOX 48	
	MELBA, ID	83641
OR		
Name:	LAURA PANCHERI	208-495-2513
Address:	RT. 1, BOX 48	
	MELBA, ID	83641
OR		
Name:	DARWIN PANCHERI	208-467-1348
Address:	RT. 4, BOX 4261	
	NAMPA, ID	83686
OR		
Name:	JOAN L. PANCHERI	208-467-1348
Address:	RT. 4, BOX 4261	
	NAMPA, ID	83686

2. Date of Priority: MAY 01, 1899

3. Source: MOORES CREEK Trib. to: BRUSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	13	SE	NE			VALLEY

5. Description of diverting works:
DIVERSION DAM WITH DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.860		

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

A65-11250

Page 1

Date: 11/21/88

MICROFILMED
SEP 24 1992

8. Total consumptive use is 486.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04E	7	SW	SE		IRR	16.0
			SE	SE		IRR	9.0
						Section Acres	25.0
		17	SW	NW	4	IRR	8.0
						Section Acres	8.0
		18	NE	NE		IRR	27.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0
			SE	NE		IRR	39.0
			NE	NW		IRR	22.0
			NW	NW	1	IRR	9.0
			NE	SE		IRR	13.0
			NW	SE		IRR	24.0
						Section Acres	210.0
						Total Acres	243.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
65-2534, 65-2696, 65-6628.

14. Remarks:
RIGHT IS SUBJECT TO STIPULATIONS ORDERED BY DISTRICT COURT
12-30-86 IN GEM COUNTY CIVIL NO. 3667.

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

STATE OF IDAHO
Decree Plaintiff

A & C CORP., ET AL.
Decree Defendant

A65-11250

Page

2

Date: 11/21/88

MICROFILMED
SEP 24 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

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

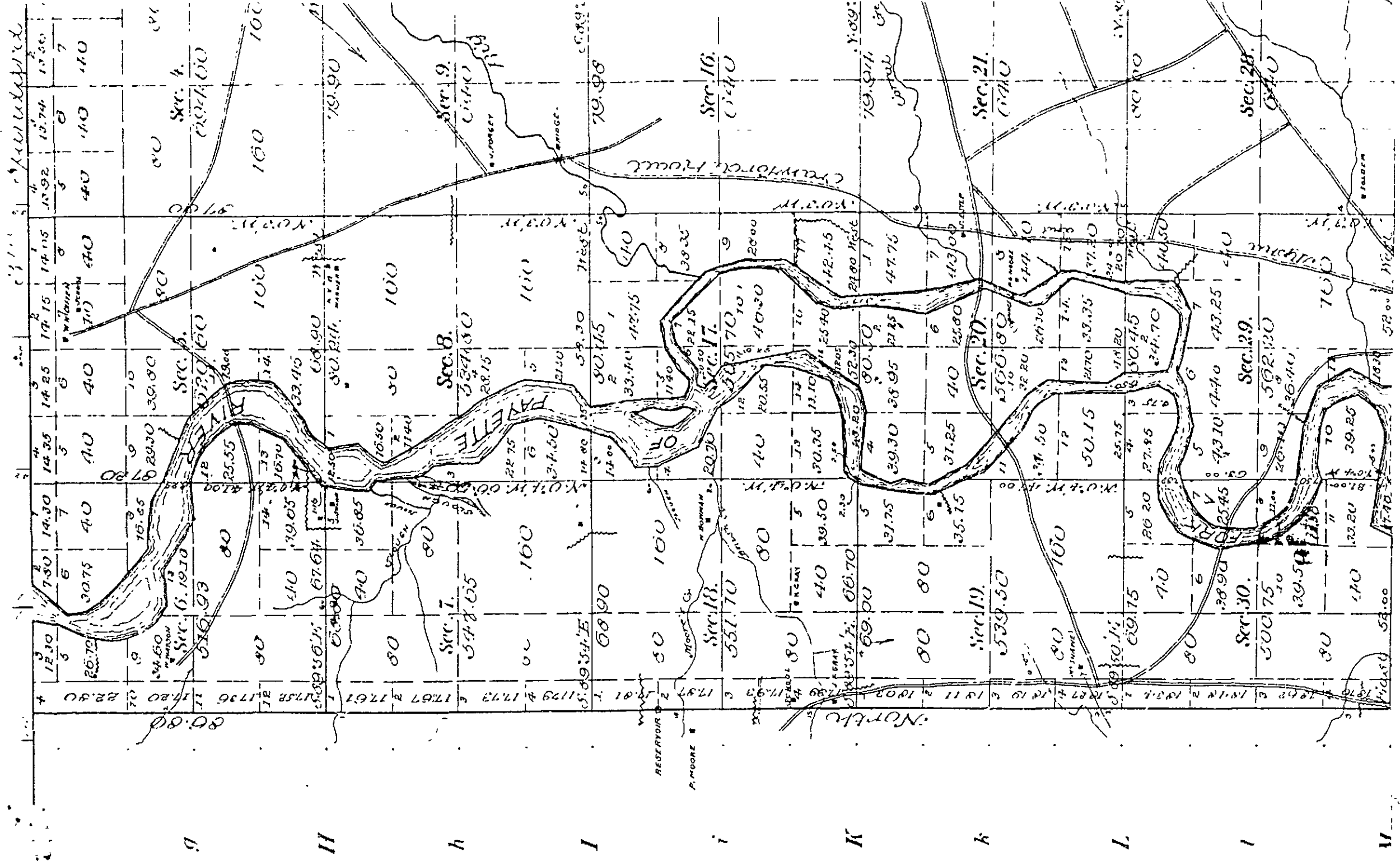
Signature of Claimant(s): Darwin Pancheri Date: 11-21-88
Duan Pancheri Date: 11-21-88

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of November 19 88 Jan Shute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 17, 1998

Re: Notice of Claim to a Water Right No. A65-02534, A65-02696, A65-06628
A65-11250, A63-25988 and A63-26208

Darwin Pancheri
Joan Pancheri
9325 Missouri Ave
Nampa ID 83686

Dear Mr. & Mrs. Pancheri:

Enclosed are copies of the above referenced claims which reflect the changes in address of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you would like to add Joseph Kurt Pancheri to any of your claims, please complete the enclosed Notice of Change of Water Right Ownership form and return with any appurtenant documentation indicating his interest in these claims.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

MAP NO.

65-11250

(Name of Claimant)

(Mailing Address)

The extent and nature of said claim is as follows:

- May 1, 1899

- ~~confluence of Moores Creek and Brush Creek)~~

- (CFS. GPD. AF.)

(CFS. GPD. AF.)

(CFS, GPD, AF.)

- (CFS, GPD, AF.)

- Sec. 13, Twp. 13 N, Rge. 3 E, B.M.; additional points:

Head gate and ditch.

- irrigation, place an "X" in appropriate box to show location. 43 44 14 50 NW 317

Total No. of acres	371.3
--------------------	-------

- NOTE:** Include here the type and number of stock watered.

- ### North Fork Pavette River

- ## organization

- 6626

- ☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Individual

(Date)

ANDERSON, KAUFMAN, ANDERSON & RINGERT

Organization

SS.

Seal

day of March

Corporate Partnership for

My commission expires lifetime

9/22/78 9/23/78

NOTICE OF CLAIM TO A WATER RIGHT

IDENT. NO.

MAP NO.

Notice is hereby given that Darwin D. Oberdier, Sr., Plaintiff, Defendant, and Intervenor
(Name of Claimant)

(Name of Claimant)

Pancheri & Laura Pancheri, husband & wife, 21170, Idaho 83421, claims a right to the diversion
(Mailing Address)

and beneficial use of the surface or groundwater, of or tributary to North Fork, Payette River,

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)

May 1, 1849

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Moore Creek
confluence of Moore Creek and South Creek Brook Trout with a few bass

- (3) Describe the purpose for which the water has been used, and the time during the year when you have used the right claimed:

Quantity 4.8 CFS. Use Irrigation 745 AF Period of Use From 4/15 To 7/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Quantity 1000 Use Domestic Period of Use From 10/1/50 To 12/31/50
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Bath Dates Inclusive)

- (4) 6.8 CFS. 4.86 TOTAL QUANTITY CLAIMED.
(CFS. GPD. AF.)

- (5) A) Point of Diversion. Give location of point where water is diverted from its source SP $\frac{1}{4}$ NE $\frac{1}{4}$.
Sec. 13, Twp. 13 N, Rge. 3 E, B.M.; additional points: _____

B) Describe means of diversion of water. (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Head gate and ditch.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location. 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498

T	R	SEC	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	M	4LE	7				9									16	2		20
		17					14									35	37		20
		25																	25
			39	38	38	39	22	9								13			
								9											
								9											
			18	27	38	38	39	22	9							13	24		

other Rts: 65-2534, 65-2696

Total No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered.

- (7) Effluent, sewage waste, or return water from this use is discharged into North Fork Dan River

- (8) If you are claiming water as a member of an organization, list name of organization.

- (9) Remarks: This cluster combined with 45-6629, 65-~~6628~~ 6628
all provide no more than .02 c/s/m per mm of
~~RECOMMENDED AS 65-6629~~ 3A/A/A

- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

- ☐ B) Right decreed by court, cite title of case.

- ☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Department of Water Resources
Western Regional Office

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge. *Individual* 10-26-78 11/13/78

Individual

(Signature of Claimant)

Attorneys for Plaintiff:

Organization: _____ (Signature of Spouse)

State of Idaho

Organization

County of San Diego

SS.

Seal

On this _____ day of _____, in the year _____, before me,

a notary public, personally appeared W. J. [illegible]

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he executed the same.

Notary Public residing at _____

lifetime

10/21/92

1 JIM JONES
2 Attorney General
3 State of Idaho
4 Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

5 PHILLIP J. RASSIER
6 JOSEPHINE P. BEEMAN
7 Deputy Attorneys General
8 Department of Water Resources
450 West State Street
Boise, ID 83720
Telephone: (208) 334-4448

9
10 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
11 STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

12 IN THE MATTER OF THE GENERAL)	Civil No. 3667
13 DETERMINATION OF THE RIGHT TO)	
14 THE USE OF SURFACE AND GROUND-)	STIPULATION AND ORDER:
15 WATER OF THE PAYETTE RIVER)	PANCHERIS AND LESLIE
16 DRAINAGE BASIN)	

17 The director of the Idaho Department of Water
18 Resources, Darwin Pancheri and Joan L. Pancheri, Duane Pancheri
19 and Laura Pancheri ("Pancheris" herein), and William John
20 Leslie ("Leslie" herein) stipulate to the following water
21 rights for the Pancheris and Leslie, and A. L. Cattle, Inc.
22 within the Brush Creek drainage which is tributary to the North
23 Fork of the Payette River. All of these water rights are
24 listed in complete detail in the attached Exhibit A, but are
25 listed in an abbreviated form here.

*a true and correct copy of
the original stipulation and
order filed in this cause
on the 30th day of December,
1986, at 1:50 p.m.
J. R. Donahoe
District Judge*

1. Andy Creek, tributary to South Fork Moores Creek
65-3420 (Leslie): 2.08 cfs for irrigation with a
priority date of 4/1/1894;
2. House Creek, tributary to North Fork Moore's Creek
65-3419 (Leslie): 2.62 cfs for irrigation with a
priority date of 4/1/1894;
3. Moores Creek, tributary to Brush Creek
65-11250 (Pancheris): 4.86 cfs for irrigation with a
priority date of 5/1/1899;
4. North Fork Moores Creek, tributary to Moores Creek
65-3419 (Leslie): 2.62 cfs for irrigation with a
priority date of 4/1/1894;
65-3420 (Leslie): 2.08 cfs for irrigation with a
priority date of 4/1/1894;
5. South Fork Moores Creek, tributary to Moores Creek
65-3420 (Leslie): 2.08 cfs for irrigation with a
priority date of 4/1/1894;
6. Springs, tributary to Moores Creek
65-3418 (Leslie): 0.04 cfs for irrigation with a
priority date of 4/1/1910.

With respect to rights 65-3418, 65-3419, 65-3420 (in the name of Leslie), the Pancheris and Leslie agree as follows. Although right 65-3418 on springs tributary to Moores Creek is junior in priority to the Pancheris' downstream right 65-11250 on Moores Creek, it will be considered for distribution purposes to be a prior right as long as the following conditions are satisfied:

a. The use of water by Leslie, his successors, heirs and assigns under rights 65-3418, 65-3419, and 65-3420 will not be expanded to lands not shown to be irrigated on the attached Exhibit A. That is if the Exhibit shows a given number of acres irrigated in a quarter section, Leslie will not increase the number of acres being irrigated in that fractional section.

1 b. Leslie agrees, for and on behalf of himself, his
2 successors, heirs and assigns, not to change the
3 method of irrigating under rights 65-3418, 65-3419,
4 and 65-3420 even though the method of irrigating can
be changed without increasing the consumptive use,
such as changing from the present method of
irrigating, flood irrigation, to sprinklers.

5 c. Leslie agrees for and on behalf of himself, his
6 successors, heirs and assigns not to change either
7 the place of use of the water or the points of
8 diversion without first obtaining the written consent
9 of the Pancheris or the Pancheris' successors, heirs
and assigns. A replacement to a damaged headgate
will not constitute a change in point of diversion
where the point of diversion is not substantially
changed.

10 d. Leslie agrees, for and on behalf of himself, his
11 successors, heirs and assigns to use the water in
12 such a manner that all water not needed for the
13 propagation of crops will either be left in the
14 natural drainage or will be returned back to Moores
15 Creek upstream from the Pancheris' point of diversion
16 as it presently exists. The parties to this
17 stipulation acknowledge the existence of a rotation
18 agreement between Leslie and MacGregor which is
19 attached as Exhibit B.

20 e. The enforcement of those conditions which occur
21 after the water is diverted from the natural channel
22 will be the responsibility of the private parties,
23 except that Water Resources may also exercise its
24 authority under Title 42, Idaho Code.

25 The Pancheris and Leslie further agree, based upon
26 this stipulation, to withdraw the objections that each had
27 filed affecting their respective rights on Andy Creek, House
Creek, Moores Creek, North Fork Moores Creek and South Fork
Moores Creek.

1
2 Dated this 29th day of December, 1986.
3

4 RINGERT, CLARK, HARRINGTON,
5 REID, CHRISTENSON & KAUFMAN,
6 CHARTERED

7 By: W. F. Ringert

8 William F. Ringert, a member
9 of the firm
10 Attorneys for Darwin Pancheri,
11 Joan L. Pancheri, Duane
12 Pancheri, and Laura Pancheri
13

14 COLLINS & MANLY

15 By: William D. Collins 26 December 1986

16 William D. Collins,
17 Attorneys for William John
18 Leslie
19

20 JIM JONES
21 Attorney General

22 Josephine P. Beeman 26 December 1986
23 Josephine P. Beeman
24 Deputy Attorney General
25 Idaho Department of Water
26 Resources
27

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
450 West State Street
Boise, ID 83720
Telephone: (208) 334-4448

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL	)	Civil No. 3667
DETERMINATION OF THE RIGHT TO	)	
THE USE OF SURFACE AND GROUNDWATER	)	ORDER
OF THE PAYETTE RIVER DRAINAGE	)	
BASIN	)	

The foregoing stipulation having come duly and regularly
before the court and good cause appearing therefore,

IT IS HEREBY ORDERED that the objections filed by the
Pancheris as to their rights 65-6622, 65-6629, 65-6628, and
65-11250 be dismissed with prejudice; further that the objections
to and protests filed against Pancheris' water rights by Leslie
and against the water rights of Leslie by Pancheris be dismissed
with prejudice and without attorneys fees and costs to any party.

IT IS FURTHER ORDERED that Leslie's water rights
65-3418, 65-3419 and 65-3420 listed in the attached Exhibit A are
deemed admitted and conceded by the Pancheris, their heirs,
successors and assigns as true and accurate, and subject to the
conditions stated on pages 2 and 3 of the Pancheris and Leslie
stipulation.

IT IS FURTHER ORDERED that the Pancheris' water right
65-11250 listed in the attached Exhibit A is deemed admitted and

conceded by Leslie, his successors, heirs and assigns as true and accurate, and subject to the conditions stated on pages 2 and 3 of the Pancheris and Leslie stipulation.

DATED this 30 day of December, 1986.

151
JIM R. DOOLITTLE
District Judge

PANCHERI/LITTLE/A.L. CATTLE STIPULATION
PANCHERI/LESLIE STIPULATION
EXHIBIT A - LISTING OF WATER RIGHTS

12/86

PAGE 5

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
SOURCE: MOORES CREEK		TRIBUTARY: BRUSH CREEK				
65-11250	PANCHERI, DARWIN PANCHERI, JOAN L. PANCHERI, DUANE PANCHERI, LAURA MELBA, ID 83641 OTHER RIGHTS: 65-2534, 65-2696. POINT OF DIVERSION: T13N R03E S13 SENE PLACE OF USE: IRRIGATION T13N R04E S07 SWSE 16 SESE 9 S17 LT04(SWNW) 8 S18 NENE 27 NWNE 38 SWNE 38 SENE 39 NENW 22 LT01(NWNW) 9 NESE 13 NWSE 24 243 ACRES TOTAL	05-01-1899	IRRIGATION	04-15 10-15	4.86 CFS	BENEFICIAL USE
SOURCE: MOORES CREEK, NORTH FORK		TRIBUTARY: MOORES CREEK				
65-3419	LESLIE, WILLIAM JOHN 2404 NORTH 21ST BOISE, ID 83702 REMARKS: SOURCES ARE HOUSE CREEK, TRIB. MOORES CREEK, NORTH CREEK AND MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK. POINT OF DIVERSION: T13N R03E S11 SESE S13 NWNW S14 SWNE PLACE OF USE: IRRIGATION T13N R03E S11 SESE 39 S12 SWSW 12 S13 NWNW 30 SWNW 3 S14 NENE 39 SWNE 8 131 ACRES TOTAL	04-01-1894	IRRIGATION	04-15 10-15	2.62 CFS	BENEFICIAL USE

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2

3
4
5

6
7
8

9
0
1
2

3
4

5

6
7
8
9
0
1
2
3
4

6
7
8
9
0

1 Land owned by second party:

2 Southwest Quarter of the Southeast Quarter, South
3 Half of the Southwest Quarter, Section 11,
4 Northeast Quarter of the Northwest Quarter, and the
5 Northwest Quarter of the Northeast Quarter of
6 Section 14, and the West Half of the Northwest
Quarter and the Southeast Quarter of the Northwest
Quarter, Section 14, the South Half of the Southeast
Quarter, Section 10, Township 13 North Range 3
East B.M., Valley County, Idaho.

7 AND WHEREAS it is considered for the best interests
8 of all parties to enter into a mutual agreement for the use
9 of the waters flowing through Moore's Creek and for the
10 use of a common ditch used by said parties,

11 NOW, THEREFORE, in consideration of the mutual covenants
12 herein contained, it is agreed as follows, to wit:

13 1. That in the early spring when there is sufficient
14 water for the irrigation of the respective lands of both
15 parties, both parties shall be entitled to take and divert
16 the water of said creek, or so much thereof, as may be nec-
17 essary for the proper irrigation of the lands of said parties.
18 That in connection with the use of the common ditch commonly
19 referred to as Lateral No. 3, it is agreed with the inception
20 of the irrigation season that starting with the 1st day of
21 May of each year, second party shall have the use of said
22 ditch for three days; that thereafter first party shall have
23 the full exclusive use of said ditch for eight days, and
24 that thereafter during the irrigation season the parties
25 hereto will alternate the use of said ditch on the basis of
26 eight days for first party and three days for second party
27 during the entire irrigation season. Each of the parties
28 hereto shall be jointly responsible for the cleaning, main-
29 taining and upkeep on said ditch; that during the time either
30 of the parties hereto shall have the right to the use of
31 said ditch it is understood that said parties shall have the
32

1 exclusive right to the use of the same free from any inter-
2 ference on the part of the other, together with the use of
3 all ditches and laterals that take off or branch from said
4 Lateral No. 3.

5 2. In connection with the use of the waters of Moore's
6 Creek, each of the parties hereto shall have the right to
7 divert water therefrom to the full extent required for irri-
8 gation up to and including the 5th day of July of each year.
9 Commencing with the 6th day of July, or as soon thereafter
10 as either of the parties hereto may request, a system of
11 rotation for the use of all of the waters of said creek shall
12 be worked out as follows, to wit:

13 Commencing with the 6th day of July second party shall
14 have the exclusive right to the use of all waters of said
15 creek starting at 8 o'clock on the morning of said day and
16 for three full days thereafter ending July 9th, at 8 o'clock
17 A.M.; that thereafter first party shall have the exclusive
18 right to the use of all the waters of said creek commencing
19 with July 9th at 8 o'clock A.M., and ending on July 11th at
20 8 o'clock A.M., and that thereafter during the entire irriga-
21 tion season the parties shall alternate in the exclusive right
22 of the use of said waters of said creek, second party taking
23 the next three day period and first party the next eight day
24 period, continuing throughout the irrigation season.

25 In the event the rotation is started later than the
26 6th day of July in any one year, the rotation shall be worked
27 on the same basis, that is, second party shall have the right
28 to the use of the waters of said creek for the first three day
29 period and the first party shall have the right to the use
30 of the waters of said creek for the next eight day period,
31 alternating on the same basis throughout the rest of the irri-
32 gating season.

1 3. That for the irrigation season of 1955, second
2 party will take all of the waters of said creek on the date of
3 signing this agreement, and shall be entitled to all the use of
4 the water of said creek for three full days from and after the
5 date hereof; first party shall then be entitled to the use of
6 the waters for eight days thereafter, and for the rest of the
7 current season the water shall be alternated three days to
8 second party and eight days to first party. After the end of
9 the current year the rotation shall be governed as hereinabove
10 set forth.

11 4. It is understood first party shall have the right to
12 run said waters of Moore's Creek either through the south or north
13 fork of said creek during the time that she may be entitled under
14 this rotation system to the use of said waters, and each of the
15 parties hereto, during the time she may be entitled to the use of
16 said waters shall be entitled to the use of all the waters of said
17 creek and to divert the same through such ditches or laterals as
18 may be desired by such party during the time such party has the
19 right to the full and exclusive use of the waters of said creek;
20 that all of such ditches and laterals shall be appurtenant to
21 the property so irrigated.

22 5. Maintenance of the diversion of waters from the
23 north to the south fork and from the south to the north fork
24 of Moore's Creek and to the headgate of lateral No. 3 shall
25 be the joint responsibility of both parties.

26 6. It is understood that this agreement is made in
27 order to obtain the maximum use of the waters of said
28 Moore's creek for the benefit of both parties hereto. Both
29 the parties hereto agree that they will observe and respect
30 the system of rotation hereinabove provided for and that at
31 the time for the division of water for one party or the other
32 under said system of rotation that the party thereto shall

1 be entitled to take said water at the time agreed upon, free
2 from any interference or claim on the part of the other. It
3 is further understood that each of said parties will cooperate
4 with the other to the extent that maximum beneficial use can
5 be made by both parties hereto of the waters of said Moore's
6 Creek in connection with the irrigation of the lands of the
7 respective parties.

8 7. It is further agreed that this covenant for the
9 use of said waters of Moore's Creek shall be a covenant
10 running with the land and shall be binding on the heirs,
11 administrators, executors, assigns and successors in interest
12 of the parties hereto.

13 IN WITNESS WHEREOF the parties hereto have hereunto
14 set their hands this 18 day of July, 1955.

15
16 Daisy Frances Miller
17 First party

18 Dora House
19 Second party

20 STATE OF IDAHO }
21 County of valley } ss.
22 ~~Ada~~

23 On this 18th day of July, 1955, before me, the
24 undersigned, a Notary Public in and for said County and State,
25 personally appeared DAISY FRANCES MILLER, formerly Daisy
26 Frances Leslie, and DORA HOUSE, known to me to be the persons
27 whose names are subscribed to the foregoing instrument, and
28 acknowledged to me that they executed the same.

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

32 [Signature]
Notary Public for Idaho
Residing at:

STATE OF IDAHO, } ss. 1935
County of Valley, }
I hereby certify that this instrument
was filed for record at the request of
Mark W. Williams

01 WATER RIGHT NUMBER - 65-11250

02 OLD (D) NUMBER -

ADJ. FLAG TRANSLATION: STANDARD WATER RIGHT NUMBER

LAST NAME

03001 - PANCHERI
03002 - PANCHERI
03003 - PANCHERI
03004 - PANCHERI

FIRST NAME

04001 - DARWIN
04002 - JOAN L.
04003 - DUANE
04004 - LAURA

ORIG. OWNER

05001 - C
05002 - C
05003 - D
05004 - D

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MELBA

10 STATE - ID

11 ZIP - 836410000

12 STAGE - D DECREE

13 STATUS -

SOURCE

14001 - MOORES CREEK

TRIBUTARY OF

15001 - BRUSH CREEK

16 DIVERSION MEANS - GRAVITY DITCH.

17 COUNTY - 85 VALLEY

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 4.860

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 65

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - SENE	23001 - 13	24001 - 13N	25001 - 03E	26001 - 27001 -	28001 - 0	0.0	0.0	0.0
						0.0	0.0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 13N	32001 - 04E	33001 - 07	34001 - SWSE	35001 - 16	36001 -
30002 - 01 IRRIGATION	31002 - 13N	32002 - 04E	33002 - 07	34002 - SESE	35002 - 09	36002 -
30003 - 01 IRRIGATION	31003 - 13N	32003 - 04E	33003 - 17	34003 - SWNW	35003 - 08	36003 - 04
30004 - 01 IRRIGATION	31004 - 13N	32004 - 04E	33004 - 18	34004 - NENE	35004 - 27	36004 -
30005 - 01 IRRIGATION	31005 - 13N	32005 - 04E	33005 - 18	34005 - NWNE	35005 - 38	36005 -
30006 - 01 IRRIGATION	31006 - 13N	32006 - 04E	33006 - 18	34006 - SWNE	35006 - 38	36006 -
30007 - 01 IRRIGATION	31007 - 13N	32007 - 04E	33007 - 18	34007 - SENE	35007 - 39	36007 -
30008 - 01 IRRIGATION	31008 - 13N	32008 - 04E	33008 - 18	34008 - NENW	35008 - 22	36008 -
30009 - 01 IRRIGATION	31009 - 13N	32009 - 04E	33009 - 18	34009 - NWNW	35009 - 09	36009 - 01
30010 - 01 IRRIGATION	31010 - 13N	32010 - 04E	33010 - 18	34010 - NESE	35010 - 13	36010 -
30011 - 01 IRRIGATION	31011 - 13N	32011 - 04E	33011 - 18	34011 - NWSE	35011 - 24	36011 -

TOTAL ACRES: 243

PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION	40001 - 4.860	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

WRR100
65-11250

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
22-JAN-1987 09:11:02

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE - 65-2534, 65-2696.

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-MAY-1899	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED - 1/22/87 <i>[Signature]</i>	61	DATE_1 -		
54	LAST UPDATE - 21-JAN-1987	62	DATE_2 -		

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF Date 10/11/83
Right No. 65-11250 Claimant PANCHER
Recommendation differs from claim: ☒ Yes ☐ No ☒ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☒ Other Stipulation to Objection 12/30/86
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 7/22/83

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____, _____, _____

Field Photographs Taken ☐ Yes ☐ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

Chilson 1898 2 cfs Moores Cr. NE 1/4 18 142 Ac 114 ~~2~~ 1/2 Moores Cr.

Gray, James 1898 2 cfs Brush Cr. 108 Ac in 18419

Gray, Wm & Nelson 1900 2 cfs Brush Cr. SE 1/4 18 98 Ac

James Gray deed 1917 1899 WR 1898 WR + 2 cfs for 137 Ac 5.19 Brush Cr.

No P. 1. Chas. Gray deed 1917 4 cfs for 146 Ac 5.19 Brush Cr.

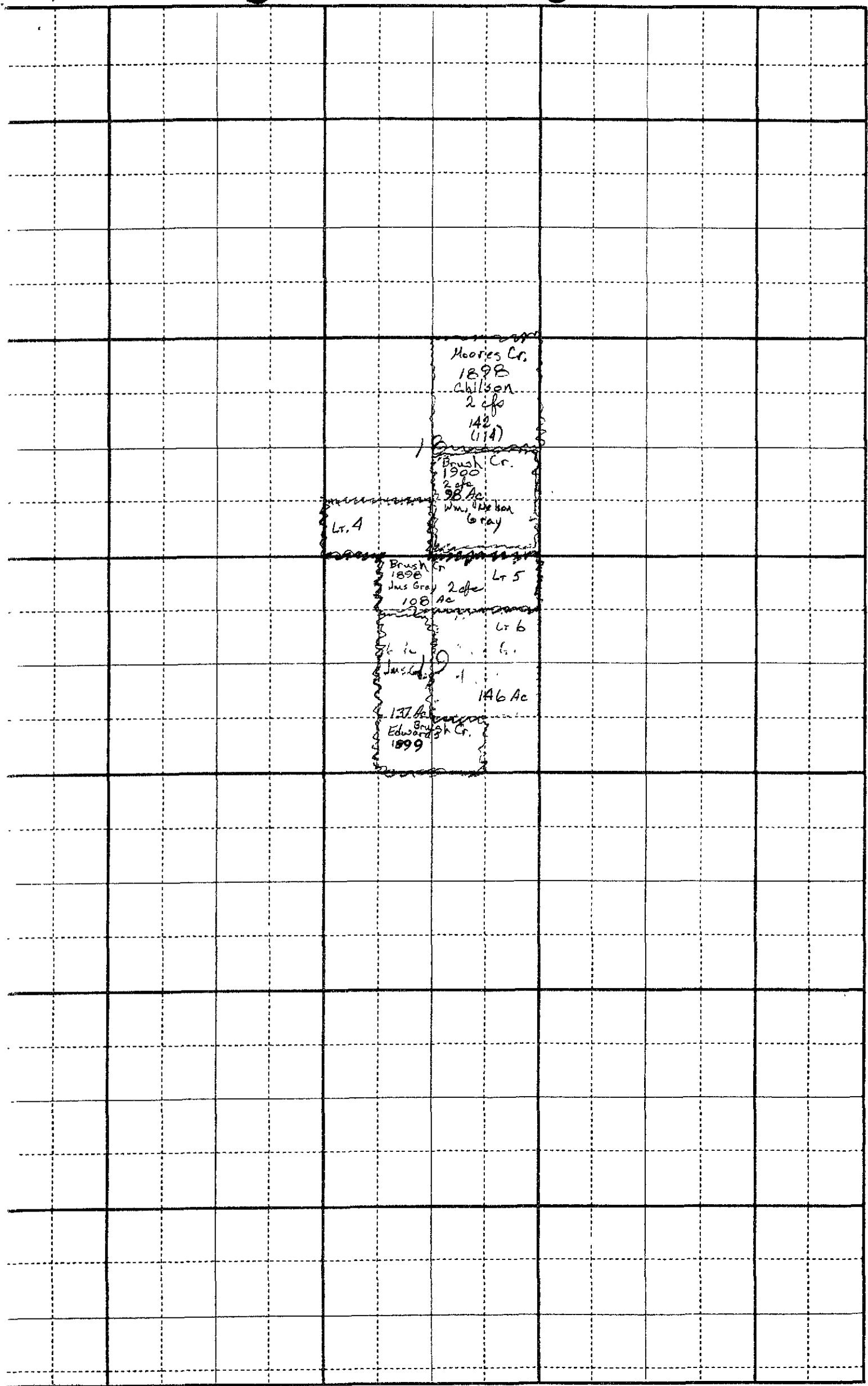
Wm R. & Chas. Gray deed 1917 2 cfs. 1900 WR. SE 1/4 18

Mrs. Edwards 1899 2 cfs ^{1/2 ditch from Brush Cr.} Brush Cr. 919 137 Ac.

<u>Brush Creek</u>			
Pancheri	1898	2 cfs	108 Ac
	1899	2 cfs	137 Ac
	1900	1.96 cfs	98 Ac
	1912 per change	<u>5.70</u>	<u>285</u>
		~~1012~~ 1166	~~506~~ 628
AL Little	1918	<u>6.24</u>	312 Ac

2 cfs	100
2 cfs	100
1.96	98
<u>6.60</u>	<u>330</u>
~~1012~~ 12.56	~~506~~ 628

<u>Moores Cr.</u>			
Geslie	1894	<u>2.28</u>	114 Ac
Pancheri	1898	2	142 Ac or 2 cfs 100
AL Cattle	1902	<u>1.06</u>	53 Ac
Pancheri	1929	<u>2.02</u>	101 or 2.86 143



25-340
Lawrence L. Miller and
Florence A. Miller, husband
and wife

TO

Federal Land Bank of Spokane,
a Corporation.

MORTGAGE

Dated February 28th, 1927
Filed March 29th, 1927 at 10:45 A.M.
Recorded in Book "F" of Mortgages,
page 86, records of Valley County.
Witnesses None
Consideration \$6000.00
Instrument No. 11223

MORTGAGES:

The Northwest Quarter of the Southwest Quarter, Lots Three, Four, Twelve, Thirteen and Fourteen, Section Seventeen; the North Half of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, Lots Four and Five, the Southeast Quarter of the Southwest Quarter of Section Eighteen; the Southwest Quarter of the Northeast Quarter, the North Half of the Southeast Quarter, Lots Five and Six, the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the East Half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter, the Northwest Quarter of the Northeast Quarter of Section Nineteen, all in Township Thirteen North, Range Four, East of the Boise Meridian. Subject to right of way of railroad now constructed over and across said premises.

Secures note of even date herewith for \$6000.00, with interest thereon from date until paid at the rate of 5½ per cent per annum, payable semi-annually. Said note matures in 34½ years from date hereof.

ACKNOWLEDGED: March 11th, 1927 in County of Valley, State of Idaho, by Lawrence L. Miller and Florence A. Miller, husband and wife, before F. A. Hagelin, Notary Public, residing at Nampa, Idaho. My Commission expires May 8, 1927.

SEAL.

RECEIVED

MAR 27 1927

Department of Water Resources
Western Regional Office

SHEET NO. - 4 -



29-3-15
Lawrence L. Miller and
Florence A. Miller, husband
and wife

TO

Federal Land Bank of Spokane,
a Corporation.

MORTGAGE

Dated February 28th, 1927
Filed March 29th, 1927 at 10:45 A.M.
Recorded in Book "F" of Mortgages,
page 86, records of Valley County.
Witnesses None
Consideration \$6000.00
Instrument No. 11223

MORTGAGES:

The Northwest Quarter of the Southwest Quarter, Lots Three, Four, Twelve, Thirteen and Fourteen, Section Seventeen; the North Half of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, Lots Four and Five, the Southeast Quarter of the Southwest Quarter of Section Eighteen; the Southwest Quarter of the Northeast Quarter, the North Half of the Southeast Quarter, Lots Five and Six, the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the East Half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter, the Northwest Quarter of the Northeast Quarter of Section Nineteen, all in Township Thirteen North, Range Four, East of the Boise Meridian. Subject to right of way of railroad now constructed over and across said premises.

Secures note of even date herewith for \$6000.00, with interest thereon from date until paid at the rate of $5\frac{1}{2}$ per cent per annum, payable semi-annually. Said note matures in $34\frac{1}{2}$ years from date hereof.

ACKNOWLEDGED: March 11th, 1927 in County of Valley, State of Idaho, by Lawrence L. Miller and Florence A. Miller, husband and wife, before F. A. Hagelin, Notary Public, residing at Nampa, Idaho. My Commission expires May 8, 1927. SEAL.

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

SHEET NO. - 2 -



FOR THE PURPOSES OF THIS DEED, THE FOLLOWING IS A DESCRIPTION OF THE PROPERTY:

The Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); and
The South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$); and
The Southeast Quarter (SE $\frac{1}{4}$);

All in Section Seven (7);

All in Township Thirteen (13) North, Range Four (4) East of the
Boise Meridian, in Valley County, Idaho.

TOGETHER WITH any and all water rights, ditches and right of
way for ditches thereto belonging or used in connection there-
with, together with all the tenements, hereditaments and appur-
tenances thereunto belonging or in anywise appertaining.

The Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$); and
The west Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$);

All in Section Six (6)

All in township Thirteen (13) North, Range Four (4) East of the
Boise Meridian, in Valley County, Idaho.

TOGETHER WITH all water rights, ditches and rights of way for
ditches thereto belonging or used in connection therewith,
together with all the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

Lot Four (4); and

The Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$)

All in Section Eighteen (18); and

Lot Five (5);

The Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); ✓

The Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$);

The Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$); ✓

The Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) ✓

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

54

The Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$); and
The Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$);

All in Section(19);

All in Township Thirteen (13) North Range Four (4) East of the
Boise Meridian, in Valley County, Idaho.

TOGETHER WITH all water rights, ditches and rights of way for
ditches thereto belonging or used in connection therewith, to-
gether with all the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

EXCEPTING THEREFROM, 12.74 acres for a right of way.

Lots One (1), Two (2), and Three (3);

All in Section Nineteen (19);

All in Township Thirteen (13) North, Range Four (4) East of
the Boise Meridian, in Valley County, Idaho.

TOGETHER WITH all water rights, ditches and rights of way for
ditches thereto belonging or used in connection therewith,
together with all the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

EXCEPTING THEREFROM, one (1) acre of ground for school
purposes.

The West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section
One (1); and The Northwest Quarter ($NW\frac{1}{4}$) of the Northeast
Quarter ($NE\frac{1}{4}$); The Northeast Quarter ($NE\frac{1}{4}$) of the Northwest
Quarter($NW\frac{1}{4}$); and The Northwest Quarter($NW\frac{1}{4}$) of the Northwest
Quarter ($NW\frac{1}{4}$);

27-201

James F. Gray and Emma Gray,
Husband and Wife

TO

Lawrence L. Miller

) WARRANTY DEED.
) Dated September 10th, 1917.
) Filed May 5th, 1927 at 4:45 P.M.
) Recorded in Book 13 of Deeds, page
) 358 records of Valley County, Idaho.
) Witnesses Two.
) Consideration \$12,000.00
)
) Instrument No. 11305.
)

GRANT, BARGAIN, SELL, CONVEY AND CONFIRM:

Lot 4, and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18; and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$,
The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and Lot 5, in Section 19;;
And the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section
19, all in Township 13 North Range 4 East, B.M. Idaho, Excepting therefrom
a strip of land transferred to W.D. Patterson, Trustee, by Warranty Deed
dated Dec. 21st, 1911, recorded Nov. 10, 1914 in Book 40 Deeds, Page 5, which
said strip contains 12.57 acres.

Together with all water rights to same, consisting of 6 cubic feet per
second, taken from Brush Creek.

ACKNOWLEDGED: September 10th, 1917 in Valley County, State of Idaho, by
James F. Gray and Emma Gray, before M.D. Kerby, Notary Public residing at
Cascade, Idaho. SEAL.

(Abstracted from Instrument)

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

United States of America.
Seal

PATENT: -16-2-14
-4-75

Dated March 17, 1903.
Filed July 20, 1905.
Book 1 of Patents, Page 462.

1.
4-75
TO
James F. Gray.

Pursuant to an Act of Congress approved May 20, 1862,
Gives and Grants the lot 4, SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Section 18, the
NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and Lot 5, of Section 19,
Township 13 North, Range 4 East, of the Boise Meridian, containing
169.74 Acres.

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

Sheet No. 1-



James Gray

TO

THE PUBLIC

) NOTICE OF WATER RIGHT LOCATION
)
) Dated Sept 10, 1898
)
) Verified Sept 10, 1898
)
) Filed Sept 22, 1898
)
) Recorded in Book 3 of Water Rights,
)
) page 198, records of Boise County, Idaho

Recites in substance: That James Gray of Vanwyck, Idaho, has appropriated and hereby claim the use of the waters of Brush Creek to the extent of two cubic feet per second, flowing at the point of diversion being at a point about one half mile above place of its intended use is on Lots 4 and 5, E₂¹ SW₄¹, Section 18 and NE₁¹ NW₄¹, NW₄¹ NE₄¹ and Lot 5 Section 19, Township 13 North, Range 4 East B. M; that the purpose for which said water is claimed is for irrigation

Subscribed and sworn to by James Gray, before L. S. Kimball, Notary Public Boise, County, Idaho SEAL

*Lot 4, E₂¹ SW₄¹ Sec 18
NE₁¹ NW₄¹, NW₄¹ NE₄¹ Sec 19*

RECEIVED

JUN 27 1944

Department of Water Resources
Western Regional Office

CERTIFICATE

STATE OF IDAHO, }
COUNTY OF BOISE, } ss.

I, Katherine M. Brogan, Auditor and Recorder in and for said County, do hereby certify the foregoing to be a full, true and correct copy of the NOTICE OF WATER RIGHT LOCATION as the same appears of record in my office in Book 3. of Millsites & Water Rights Page 198., and of the whole thereof.

WITNESS My hand and seal of office at Idaho City, Idaho this 18th ..
day of .. January. A.D. 19.56.. ..

Katherine M. Brogan....
Auditor and Recorder
By *William Mathis*.....
Deputy

RECEIVED

JUN 27 1964

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT LOCATION

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT JAMES GRAY of Van Wyck, County of Boise, State of Idaho, has this 10th day of September, 1898 appropriated and hereby claims the use of the waters of Brush Creek to the extent of two cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about $\frac{1}{4}$ of a mile S.E. of Alcoms Barn and about $\frac{1}{2}$ mile above where the County Road crosses said Brush Creek,

That the special purposes or purpose for which said water is claimed is Irrigation.

The place of its intended use is on Lot 4, 5 E⁴ SW⁴, Sec. 18 and NE⁴ NW⁴ and Lot 5 Section 19, Township 13 N. Range 4 East.

That the general course of the proposed canal or conduit is East.

The length of said proposed canal conduit is about three fourths of a mile.

That it is intended to complete the works for the diversion and use of said water as aforesaid within one year.

A copy of this notice was duly posted at or near the point of intended diversion on the 10 day of September, 1898.

WITNESS my hand at Van Wyck, County of Boise, State of Idaho, this 10 day of September, 1898.

Appropriator & Claimant: James Gray

STATE OF IDAHO,)
COUNTY of Boise)ss

James Gray being first duly sworn, deposes and says that he is of lawful age and the appropriator, and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 6 o'clock P. M. the 10 day of September, 1898.

James Gray

SUBSCRIBED AND SWORN TO before me, this 10 day of September, 1898.
USRS 10 C

SEAL L. S. Kimball
Notary Public

STATE OF IDAHO,)
COUNTY of Boise,)ss

I hereby certify that this instrument was filed for record at the request of L. S. Kimball at 10 minutes past 3 o'clock P. M., this 22d day of Sept. 1898.

W. F. Connaughton
Ex-Officio Recorder

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

27-202

Charles L. Gray, a bachelor,

TO

Lawrence L. Miller

) WARRANTY DEED.
) Dated September 10th, 1917.
) Filed May 5th, 1927 at 4:45 P.M.
) Recorded in Book 13 of Deeds, page
) 359 records of Valley County, Idaho.
) Witnesses Two.
) Consideration \$5,895.70
)
) Instrument No. 11306.
)

GRANT, BARGAIN, SELL, CONVEY AND CONFIRM:

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; The N $\frac{1}{2}$ of the SE $\frac{1}{4}$; and Lot 6, all in Section 19, Township 13 North, Range 4 East, B.M. containing 155.15 acres.

Together with all water rights to same, consisting of 200 miners inches, taken from Brush Creek.

ACKNOWLEDGED: September 10th, 1917 in Canyon County, State of Idaho, by Charles L. Gray, before G.C. Painter, Notary Public residing at Middleton, Idaho. Commission expires May 25, 1920. SEAL.

(Abstracted from Instrument)

RECEIVED

Department of Water Resources
Western Regional Office

Sheet No. 3-

8

William R. Gray and Charles L.
Gray, Bachelors,

TO

Lawrence L. Miller

) WARRANTY DEED.
) Dated September 10th, 1917.
) Filed May 5th, 1927 at 4:45 P.M.
) Recorded in Book 13 of Deeds, page
) 360 records of Valley County, Idaho.
) Witnesses Two.
) Consideration \$5,804.50
)
) Instrument No. 11307.
)

GRANT, BARGAIN, SELL, CONVEY AND CONFIRM:

The N $\frac{1}{2}$ of the SE $\frac{1}{4}$; and the SW $\frac{1}{4}$ of of the SE $\frac{1}{4}$; and Lot 5, all in Section 18, Township 13 North, Range 4 East, B.M. Idaho, excepting therefrom a strip of land transferred to W.D. Patterson, Trustees, by warranty deed dated Dec. 7, 1911, and recorded Nov. 10, 1914, in Book 40 Deeds, Page 7, Boise County, Idaho; and a strip of land transferred by warranty deed to the Idaho Northern Railway Co. dated Oct. 30, 1912 and recorded Dec. 18, 1912, in Book 36 Deeds, Page 180, Boise County Idaho. which said strips of land contain 6.75 acres.

Together with all water to same, consisting 2 cubic Feet per second taken from Brush Creek.

ACKNOWLEDGED: September 10th, 1917 in Canyon County, State of Idaho, by William R. Gray and Charles L. Gray, before G. C. Painter, Notary Public residing at Middleton, Idaho. Commission expires May 25, 1920. SEAL.

(Abstracted from Instrument)

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

SHEET NO - 5 -

10

W. R. Gray and Nelson Gray

TO

THE PUBLIC

) NOTICE OF WATER RIGHT LOCATION
)
) Dated Aug 27, 1900
)
) Filed Sept 8, 1900
)
) Book 3 Water Rights, page 360
) records of Boise County, Idaho

Recites in part: That William Gray and Nelson Gray of Vanwyck, hereby claim the waters of Brush Creek to the extent of two cubic feet persecond it is intended to divert said water at or near the point where a copy of this notice is posted and more definitely described as follows: about 200 yards above where said Brush Creek crosses the west line of the SE $\frac{1}{4}$ of Section 18, Twp. 13 N. R. 4 E. B. M; The purpose of intended use is for irrigation; the place of intended use is on the SE $\frac{1}{4}$ Section 18, Township 13 N. R. 4 E. B. M.

W. R. Gray

Nelson Gray, Locators and claimants

Verified by W. R. Gray, before L. S. Kimball, Notary Public, Boise County Idaho on Sept 4, 1900

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

CERTIFICATE

STATE OF IDAHO, }
COUNTY OF BOISE, } ss.

I, Katherine M. Brogan, Auditor and Recorder in and for said County, do hereby certify the foregoing to be a full, true and correct copy of the . NOTICE OF WATER RIGHT as the same appears of record in my office in Book . 3 . of Millsites & Water Rights Page 360 . , and of the whole thereof.

WITNESS My hand and seal of office at Idaho City, Idaho this 19th day of ... January . . . A.D. 1956 . .

Katherine M. Brogan
Auditor and Recorder

By

Andrew Mathis
Deputy

RECEIVED

JUN 27 1956

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT

STATE OF IDAHO,)
)ss
COUNTY of Boise)

TO ALL CONCERNED:

NOTICE IS HEREBY GIVEN 1st. That WILLIAM GRAY and NELSON GRAY of Van Wyck hereby claim the use of waters of Brush Creek to the extent of two cubic feet per second. It is intended to divert said water at or near the point where a copy of this Notice is posted and more definitely described as follows:

About two hundred yards above where said Brush Creek crosses the west line of the SE^{1/4} of Section Eighteen in Township 13 North of Range 4 East.
2d. The purpose for which said water is intended to be used is Irrigation. The place of intended use is on the SE^{1/4} of Section 18, Township 13 N. Range 4 East.

3d. It is intended to divert said water by means of a ditch. The general course of the proposed conduit is East. The length of the proposed conduit is one half mile.

The destination of the proposed conduit is on above described lands. It is intended

to use said waters for Irrigating the following described lands:

SE^{1/4} Section Eighteen, Towns ip 13 N. of Range 4 East, Boise M.

The area of lands proposed to be irrigated by said conduit is 160 acres.

WITNESS My hand at Van Wyck, Idaho, this 27 day of August, 1900.

W. R. Gray
Nelson Gray
Claimants

STATE OF IDAHO,)
COUNTY of Boise)ss

William Gray being first duly sworn deposes and says that he is of lawful age and one of the claimants of the water right mentioned in the foregoing Notice and whose name is subscribed thereto. That the statements in said Notice are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 1 day of September 1900 at --minutes past 5 o'clock P. M.

W. R. Gray

SUBSCRIBED and sworn to before me this 4 day of September 1900. And I further certify that on the date last above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

SEAL L. S. Kimball
Notary Public

I R S 10¢ Sept. 4, 1900 L.S.K.

STATE OF IDAHO,)
COUNTY of Boise)ss

I hereby certify that this instrument was filed for record at request of Wm. Gray at 10 minutes past 3 o'clock P. M. on this 8 day of Sept. A. D. 1900.

Fees \$1.50

Jos. Penrod
Ex-Officio Recorder

RECEIVED

JUN 27 1900

Department of Water Resources
Western Regional Office

James W. Edwards

TO

THE PUBLIC

) NOTICE OF WATER RIGHT LOCATION
)
) Dated Nov 24, 1899
)
) Verified Nov 25, 1899
)
) Filed Dec 9, 1899
)
) Recorded in Book 3 of Water Rights,
)
) page 294, records of Boise County, Ida
)

NOTICE IS HEREBY GIVEN: That I James W. Edwards of Van Wyck, Idaho, hereby claim the use of the waters of Greys Creek to the extent of two cubic feet per second: Point of Diversion -- where said Greys Creek crosses the west line of James Greys homestead in Section 19, Twp 13 N. R. 4 E. B. ; purpose for which said water is to be used is for irrigation; that the place of intended use is the homestead of the claimant, to-wit SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 19, Township 13 N R. 4 E. B. M.,

Verified by James W. Edwards before L. S. Kimball, Notary Public
Boise County, Idaho

Abstracter's note: The Patent of Edwards describes the land as:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

CERTIFICATE

STATE OF IDAHO, }
COUNTY OF BOISE, } ss.

I, Katherine M. Brogan, Auditor and Recorder in and for said County, do hereby certify the foregoing to be a full, true and correct copy of the NOTICE OF WATER RIGHT as the same appears of record in my office in Book .3 of Millsites & Water Rights Page 294, and of the whole thereof.

WITNESS My hand and seal of office at Idaho City, Idaho this 19th day of January A.D. 1956 ..

..... Katherine M. Brogan
Auditor and Recorder

By ...

William H. Harkins
Deputy

RECEIVED

JUN 27 1964

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT

STATE OF IDAHO,)
COUNTY of Boise)ss

TO ALL CONCERNED:

NOTICE IS HEREBY GIVEN 1st. that, JAMES W. EDWARDS of Van Wyck, County of Boise, State of Idaho hereby claims the use of the waters of Grey's Creek to the extent of two cubic feet per second . It is intended to divert said water at or near the point where a copy of the notice is posted and more definitely described as follows: Where said Grey's Creek crosses the west line of James Grey's Homestead in Section 19, Township 12 N. of Range 4 East. 2d. The purpose for which said water is intended to be used is Irrigation. The place of intended use is on the Homestead of the Claimant.

3d. It is intended to divert said water by means of a ditch. The general source of the proposed conduit is south. The length of the proposed conduit is one mile. The destination of the proposed conduit is on the lands described below. It is intended to use said waters for irrigating the following described lands:

SE⁴ NW⁴ E² SW⁴ SE⁴ of Section 19 Township 12 N. of Range 4 East. The area of lands proposed to be irrigated by said conduit is 160 acres.

WITNESS MY hand at V an Wyck, Idaho this 24 day of November, 1899.

Jas. W. Edwards- Claimant

STATE OF IDAHO,)
COUNTY of Boise)ss

James W. Edwards being first duly sworn deposes and says that he is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true and the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the place of intended diversion as provided by law, on the 24 day of November 1899 at 20 minutes past 4 o'clock P.M.

J. W. Edwards

SUBSCRIBED AND SWORN to before me this 25 day of November 1899. And I further certify that on the date above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

I R 100 Nov. 25-99 L.S.K.

SEAL

L. S. Kimball
Notary Public

STATE OF IDAHO,)
COUNTY of Boise)ss

I hereby certify that the instrument was filed for record at request of L. S. Kimball at 20 minutes past 7 o'clock P. M. this 9 day of Dec. A. D. 1899.

Jos. Penrod
Ex-Officio Recorder

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

MEMO

TO: File 65-11250
FROM: Don Shaff *DS*
DATED: 10/11/83
SUBJ: Subject Review Analysis

This claim was field inspected and discussed with Duane and Darwin Pancheri on 7/22/83. The findings were that this claim is covered by the claim of water right 65-6629. The recommendation for this claim ^{is} that it be DISALLOWED and recommended as 65-6629.

E. H. DEWEY, INCORPORATED
By E. H. Dewey, Its Pres-
ident.
Attest: N. G. Blythe, Its
Secretary
TO

L. L. Miller

CORPORATION WARRANTY DEED
Dated May 15th, 1934
Filed March, 4, 1938 at 1:00 P.M.
Recorded in Book 19 of Deeds, page
289, records of Valley County, Idaho
Consideration \$10.00 and other good
and valuable considerations.

Instrument Number 23518.

GRANT, BARGAIN, SELL, CONVEY AND CONFIRM:

The Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) and the East One-half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Seven (7); the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Eighteen (18); in Township Thirteen (13) North of Range Four (4) East of the Boise Meridian, in Valley County, Idaho.

Also: The Northeast Quarter ($NE\frac{1}{4}$) of Section Eighteen, (18), Township Thirteen (13) North of Range Four (4) East of the Boise Meridian, in Valley County, Idaho, together with all interest in all water rights and especially those described in Book 3, at page 200, of the Records of Water Rights of Valley County, Idaho.

Also: Lot Four (4) in Section Seven (7); and Lot One (1) in Section Eighteen (18); in Township Thirteen (13) North of Range Four (4) East, and the East One-half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twelve (12) and the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirteen (13), in Township Thirteen (13) North of Range Three (3) East of the Boise Meridian, in Valley County, Idaho, excepting therefrom the Right of Way of the Union Pacific Railway System.

Together with all water rights, ditches and rights of way for ditches thereto belonging or used in connection therewith.

Excepting therefrom, all existing rights-of-way for roads and ditches along or upon said land.

ACKNOWLEDGED: July 7th, 1934, in Canyon County, State of Idaho, by E. H. Dewey and N. G. Blythe, President and Secretary of the corporation that executed the foregoing instrument, before F. A. Hagelin Notary Public, Residing at Nampa, Idaho. SEAL.

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

FILED 7/23



2-232

CERTIFICATE

STATE OF IDAHO, }
COUNTY OF BOISE, } ss.

I, Katherine M. Brogan, Auditor and Recorder in and for said County, do hereby certify the foregoing to be a full, true and correct copy of the . Notice of Water Right Location as the same appears of record in my office in Book .3 of Mill Sites & Water Rights Page .200 , and of the whole thereof.

WITNESS My hand and seal of office at Idaho City, Idaho this . . . 15th day of . . . September. . . A.D. 1955. . . .

Katherine M. Brogan . . .
Auditor and Recorder

By *William M. Mathis* . . .
Deputy

RECEIVED

JUN 27 1984

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT LOCATION

To Whom It May Concern:

NOTICE IS HEREBY GIVEN, That R. W. CHILSON of Van Wyck, County of Boise, State of Idaho have this 24 day of September, 1898 appropriated and hereby claim the use of the waters of Moses Creek to the extent of two cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about 10 rod above the Warm Spring on George Chadwell's place in Van Wyck Precinct, Boise County, State of Idaho.

That the special purpose or purposes for which said water is claimed is irrigation. The place of its intended use is upon the North East Quarter of Section 18 in Township Thirteen North of Range 4 East. That the general course of the proposed canal or conduit is East.

The length of said proposed canal or conduit is one half mile.

That it is intended to complete the works for the diversion and use of said water as aforesaid within one month. A copy of this notice was duly posted at or near the point of intended diversion on the 24 day of September 1898.

WITNESS MY HAND at Van Wyck County of Boise, State of Idaho, this 24 day of September 1898.

Appropriator and Claimant

R. W. CHILSON

STATE OF IDAHO,)
COUNTY of Boise) ss

R. W. Chilson being first duly sworn, deposes and says, that he is of lawful age and the appropriator and claimant of the Water Right described in the within and foregoing Notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 7 o'clock P. M., the 24th day of September, 1898.

R. W. Chilson

Subscribed and sworn to before me, this 26 day of September, 1898.

SEAL U.S.R.S. 10E

L. S. Kimball,
Notary Public

STATE OF IDAHO,)
COUNTY of Boise) ss

I hereby certify that this instrument was filed for record at the request of Levi Kimball at 35 minutes past 3 o'clock P. M., this 30 day of Sept. 1898.

W. F. Connaughton
Ex-Officio Recorder

RECEIVED

AUG 16 2002

2002 AUG 15 PM 3:27

Department of Water Resources

FILED
TWIN FALLS CO. IDAHO
T-SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 65-11250

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

This water right is an unobjected to overlap claim. On November 6, 2001, IDWR filed a *Notice of Administrative Proceeding* (NAP) for this water right.

On April 13, 2000, the United States of America, Bureau of Reclamation filed objections in three related water rights, and it was determined that this water right could be affected by the outcome of those objections. On May 7, 2002, IDWR withdrew the NAP which had been previously filed. On May 15, 2002, the United States filed a *Motion to Dismiss Objection* in each of the three related water rights.

II. CONCLUSIONS OF LAW

Therefore, it appearing that all issues have been resolved and based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 65-11250*.

DATED: August 15, 2002.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

RECEIVED

AUG 16 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA)
Case No 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-11250

2002 AUG 15 PM 3:27

SRBA
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: DUANE PANCHERI
LAURA PANCHERI
19010 S CAN-ADA RD
MELBA, ID 83641

DARWIN PANCHERI
JOAN L PANCHERI
9325 MISSOURI AVE
NAMPA, ID 83686

SOURCE: MOORES CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 4.86 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02534, 65-06628 &
65-02696 SHALL PROVIDE NO MORE THAN 02 CFS/ACRE NOR MORE THAN
3.0 AFA PER ACRE AT THE FIELD HEADGATE FOR THE IRRIGATION OF THE
PLACE OF USE.

PRIORITY DATE: 05/01/1899

POINT OF DIVERSION T13N R03E S13 SENE Within Valley County

PURPOSE AND PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	4.86 CFS

PLACE OF USE:	Irrigation	Within Valley County
	T13N R04E S07	SESE 9.0
	S17 LOT 4 (SWNW) 8.0	
	S18 NENE 27.0	NWNE 38.0
	SWNE 38.0	SENE 39.0
	NENW 22.0 LOT 1 (NWNW) 9.0	
	NESE 13.0	NWSE 24.0
	243.0 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 I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



RECEIVED

AUG 16 2002

2002 AUG 15 PM 3:27

Department of Water Resources

FILED
TWIN FALLS CO., IDAHO
ST-SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 65-11250

CERTIFICATE OF MAILING

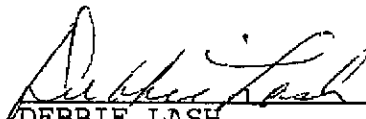
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 15, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DUANE PANCHERI
LAURA PANCHERI
19010 S CAN-ADA RD
MELBA, ID 83641
Phone: 208-495-2513

DARWIN PANCHERI
JOAN L PANCHERI
9325 MISSOURI AVE
NAMPA, ID 83686
Phone: 208-467-1348

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
08/15/02

2002 AUG 15 PM 3: 27

AT-SRBA
IDAHO

In Re SRBA
Case No. 39576

PAGE 1
08/15/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 7, 2002

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
PO BOX 2707
TWIN FALLS ID 83303-2707

Dear Sir or Madam:

This letter is to notify you that a NAP, which was filed in regards to Water Right No. 65-11250, should not have included this water right. This right is not appurtenant to the Transfer for which the NAP was filed.

Please withdraw the NAP for 65-11250 and proceed with the decree of this water right. If you have any questions, feel free to contact me.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2001

DUANE PANCHERI
LAURA PANCHERI
19010 S CAN-ADA RD
MELBA ID 83641

RE: Water Right No. 65-02534, 65-02696, 65-06628 & 65-11250

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosures

AJ0749NP
No. R65-11250

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DUANE PANCHERI RT 1 BOX 48 MELBA ID 83641 (208) 495-2513	05/01/1899	IRRIGATION	04-15 10-15	4.860 CFS	
				TOTAL DIVERSION:	4.860 CFS	
C	DARWIN PANCHERI					
C	JOAN L PANCHERI 9325 MISSOURI AVE NAMPA ID 83686 (208) 467-1348					
C	LAURA PANCHERI RT 1 BOX 48 MELBA ID 83641 (208) 495-2513					

Water Source: MOORES CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:

T13N R03E S13

SENE

VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
13N	04E 7	:														16	09	25.0
13N	04E 17	:																8.0
13N	04E 18	:	27	38	38	39	:	22	01-09	:						13	24	210.0
TOTAL ACRES																	243.0	

POU County: VALLEY

Other Rights: 65-2534, 65-2696, 65-6628.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02534, 65-06628 &
65-02696 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

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

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

OWNER (S): Pancheri

AGENT: Scott Van Hoff

DATE 6-2-99

P.O.D.	TOWNSHIP	RANGE	SEC.	SOURCE
--------	----------	-------	------	--------

13

3E

13 SEVE

Moose Creek

POLYGON # () () () () UPDATED BY sdvh

ATTRIBUTES OF B65-POD.SHP (23/) () () () ()

✓ B65-DBPOU.DBF UPDATED BY sdvh

 **B65-DBPOD.DBF UPDATED BY sdvh**

[illegible]

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T13N R04E

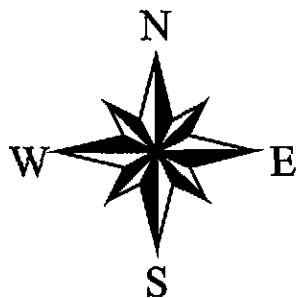
WATER RIGHT(S): 65-11250

OWNER(S): PANCHERI

PREPARED BY SCOTT VAN HOFF

3 JUNE 1999

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES



NAPP 1987



0 0.5 Miles

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 84

INDICATES TOTAL

SOURCE: BRUNDAGE MTN. L. O. SPRING

TRIBUTARY TO: WAGON WHEEL BAY CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10084	U. S. DEPT. OF AGR. FOREST SERVICE, FEDERAL BLDG., 424 25TH STREET, GGDEN, UTAH 84401 REMARKS: BRUNDAGE L. O.	6/ 3/1905	DOMESTIC	1/ 1 12/31	.20 AFA .01 CFS	SWNE S 7 T15N R 3E	SWNE S 7 T15N R 3E	RESERVED

INDICATES TOTAL

SOURCE: BRUSH CREEK

TRIBUTARY TO: MOORES CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-11250	PANCHERI, DARWIN & PANCHERI, JEAN L. & PANCHERI, DUANE & PANCHERI, LAURA HEIBA, IDAHO 83641 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2534, 65-6629 & 65-6628 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 1/1899	IRRIGATION	4/15 10/15	--- AFA 6.32 CFS	SENE S13 T13N R 3E	SWSE(138) SESE(137) S 7 T13N R 4E NWNW(14) SWNW(14) S17 T13N R 4E NENE(139) NWNE(138) SWNE(138) SESE(139) NENW(22) NESE(13) NWSE(15) LOT 1(9) S18 T13N R 4E *316*	BENEFICIAL USE
65-1979	A. L. CATTLE, INC. C/O MYRN LITTLE, ROUTE 3, BOX 151, EMMAIT, IDAHO 83617 REMARKS: SOURCES FOR THIS RIGHT ARE BRUSH CREEK & OLSON CREEK.	6/ 1/1918	IRRIGATION	4/15 10/15	--- AFA 6.18 CFS	NWSE S13 T13N R 3E SWSE S14 T13N R 3E NWNE S23 T13N R 3E	SWNE(5) SESE(16) NENW(29) NWSW(14) SWSW(26) SESE(6) NESE(137) NWSE(21) SWSE(4) SESE(13) S13 T13N R 3E SENE(27) NENW(38) LOT 2(13) LOT 3(14) S18 T13N R 4E NESE(4) SWSE(8) SESE(10) S14 T13N R 3E *309*	BENEFICIAL USE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 1
GENERAL INFORMATION

847
CLAIM NUMBER: A65-11250

LAST: PANCHERI
ADDRESS: RT 1 BOX 48
CITY: MELBA
PHONE NUMBER: 208-495-2513

FIRST: DUANE
STATE: ID ZIP: 83641

OWNER CODE: C

LAST: PANCHERI
ADDRESS: RT 1 BOX 48
CITY: MELBA
PHONE NUMBER: 208-495-2513

FIRST: LAURA
STATE: ID ZIP: 83641

OWNER CODE: C

LAST: PANCHERI
ADDRESS: 9325 MISSOURI AVE
CITY: NAMPA
PHONE NUMBER: 208-467-1348

FIRST: DARWIN
STATE: ID ZIP: 83686

OWNER CODE: C

LAST: PANCHERI
ADDRESS: 9325 MISSOURI AVE
CITY: NAMPA
PHONE NUMBER: 208-467-1348

FIRST: JOAN L
STATE: ID ZIP: 83686

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN RIGHT IS SUBJECT TO STIPULATIONS ORDERED BY DISTRICT COURT
12-30-86 IN GEM COUNTY CIVIL NO. 3667.
ADDRESS CHANGED PER CLAIMANT REQUEST 9/17/98. DB

PAGE: 2
FIELD EXAMINATION INFORMATION

848
CLAIM NUMBER: A65-11250

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-11250 PRIORITY DATE: 05-01-1899 STAGE: D

B. WR RECORD: # 65-11250 PRIORITY DATE: 05-01-1899 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☐) Y(☐) N(☐)

LICENSE ISSUED N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-01-1899

REVIEWED BY Sutt

DATE 6-3-89

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-11250	13N 03E	13		SE	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-01972	65-01972
A65-01973	65-01973
A65-01988	65-01988
	R65-01988

WR RECORDS IN SAME 40 ACRE TRACT

65-01972
65-01973
65-01988
65-12891
65-13332
65-13458

SOURCE: MOORES CREEK

TRIB: BRUSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-11250	13N 03E	13		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-01972
65-01973
65-01988
65-12891
65-13332
65-13458

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-01972	65-01972
A65-01973	65-01973
A65-01988	65-01988
	R65-01988

SOURCE: MOORES CREEK

TRIB: BRUSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
13N	03E	13		SE	NE					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MOORES CREEK

TRIB: BRUSH CREEK

REVIEWED BY: SV4

DATE: 6-3-99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (☒) , OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-11250

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	04E	7	SW	SE		PANCHERI, DUANE	A65-11250 / 16.0	65-11250 / 16.0	36.0		16
			SW	SE		PANCHERI, DARWIN	A65-02534 / 38.0	65-02534 / 38.0			
13N	04E	7	SE	SE		PANCHERI, DUANE	A65-11250 / 9.0	65-11250 / 9.0	40.0		9
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	A65-19709 /	- /			
			SE	SE		PANCHERI, DARWIN	A65-02534 / 37.0	65-02534 / 37.0			
13N	04E	17	SW	NW	4	PANCHERI, DUANE	A65-11250 / 8.0	65-11250 / 8.0	10.0		8
			SW	NW	4	PANCHERI, DARWIN	A65-02696 / 14.0	65-02696 / 14.0			
			SW	NW	4	PANCHERI, LAURA	A65-06628 / 3.0	65-06628 / 3.0			
13N	04E	18	NE	NE		PANCHERI, DUANE	A65-11250 / 27.0	65-11250 / 27.0	29.0		27
			NE	NE		PANCHERI, DARWIN	A65-02696 / 39.0	65-02696 / 39.0			
13N	04E	18	NW	NE		PANCHERI, DUANE	A65-11250 / 38.0	65-11250 / 38.0	41.0		38
			NW	NE		PANCHERI, DARWIN	A65-02696 / 38.0	65-02696 / 38.0			
13N	04E	18	SW	NE		PANCHERI, DUANE	A65-11250 / 38.0	65-11250 / 38.0	38.0		38.0
			SW	NE		PANCHERI, DARWIN	A65-02696 / 38.0	65-02696 / 38.0			
13N	04E	18	SE	NE		PANCHERI, DUANE	A65-11250 / 39.0	65-11250 / 39.0	34.0		39
			SE	NE		PANCHERI, DARWIN	A65-02696 / 39.0	65-02696 / 39.0			
13N	04E	18	NE	NW		PANCHERI, DUANE	A65-11250 / 22.0	65-11250 / 22.0	39.0		22
			NE	NW		PANCHERI, DARWIN		65-13513 / 40.0			
			NE	NW		PANCHERI, DARWIN		65-13459 / 32.0			
13N	04E	18	NW	NW	1	PANCHERI, DUANE	A65-11250 / 9.0	65-11250 / 9.0	17.0		9
			NW	NW	1	PANCHERI, DARWIN		65-13513 / 17.0			
			NW	NW	1	PANCHERI, DARWIN		65-13459 / 18.0			
13N	04E	18	NE	SE		PANCHERI, DUANE	A65-11250 / 13.0	65-11250 / 13.0	41.0		13
			NE	SE		PANCHERI, DARWIN	A65-02696 / 34.0	65-02696 / 28.0			
			NE	SE		PANCHERI, LAURA	A65-06628 / 15.0	65-06628 / 15.0			
13N	04E	18	NW	SE		PANCHERI, DUANE	A65-11250 / 24.0	65-11250 / 24.0	40.0		24
			NW	SE		PANCHERI, DUANE	A65-17687 /	- /			
			NW	SE		PANCHERI, DUANE	65-17687 /	- /			
			NW	SE		PANCHERI, LAURA	A65-06628 / 6.0	65-06628 / 6.0			
			NW	SE		PANCHERI, DUANE	R65-17687 /	- /			
			NW	SE		PANCHERI, DARWIN	A65-02696 / 26.0	65-02696 / 30.0			
			NW	SE		PANCHERI, DUANE		65-12891 /			

ADDITIONAL POU FOUND

243

TOTAL ACRES

A65-11250

243.00

243.00

365.00

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-11250	MOORES CREEK	PANCHERI, DUANE	4.860	0.020		
A65-02534	PAYETTE RIVER, NORTH FORK	PANCHERI, DARWIN	10.000	0.025		
A65-02696	PAYETTE RIVER, NORTH FORK	PANCHERI, DARWIN	14.960	0.020		
A65-06628	BRUSH CREEK	PANCHERI, LAURA	12.560	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-19709	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	
A65-19709	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	
A65-17687	DOMESTIC	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.040 CFS	
A65-17687	STOCKWATER	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.240 CFS	
65-17687	DOMESTIC	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.040 CFS	
65-17687	STOCKWATER	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.240 CFS	
R65-17687	DOMESTIC	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.040 CFS	
R65-17687	STOCKWATER	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.240 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-2534, 65-2696, 65-6628.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

NOTES:

IONS: _____

TOTAL ACRES: 243 N/A(____)

REVIEWED BY: SUH DATE: 6-3-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-11250 IRRIGATION	FROM 04-15 TO 10-15	4.860 CFS	
TOTAL DIVERSION RATE/VOLUME		4.860 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-11250 IRRIGATION	FROM 04-15 TO 10-15	4.860 CFS	
TOTAL DIVERSION RATE/VOLUME		4.860 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☐)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 4.860 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 4.860 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 486.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-15	10-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
			4.860				486.0	
TOTAL FOR THIS RIGHT			4.860				486.0	

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-11250

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	4.860	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-11250	4.860	-		65-11250	4.860
TOTAL CFS		4.860				4.860

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(☒) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 16
QUICKLOOK INFORMATION

862
CLAIM NUMBER: A65-11250

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:36:22
05/12/99
863

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-11250

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DUANE PANCHERI	05/01/1899	IRRIGATION	04-15 10-15	4.86 CFS	
C	LAURA PANCHERI					
C	DARWIN PANCHERI					
C	JOAN L PANCHERI					
TOTAL DIVERSION:					4.86 CFS	
CONSUMPTIVE USE:						486.00 AFA

Water Source: MOORES CREEK

Tributary to: BRUSH CREEK

Stage: DECREED

Point(s) of Diversion:

T13N R03E S13

SENE

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
13N	04E	7	:																	:	25.0
13N	04E	17	:																	:	8.0
13N	04E	18	:	27		38		38		39		22	01-09					13	24	:	210.0
																			TOTAL ACRES	:	243.0

POU County: VALLEY

Non-Irrigation Uses: NONE

Other Rights: 65-2534, 65-2696, 65-6628.

Remarks: GEN RIGHT IS SUBJECT TO STIPULATIONS ORDERED BY DISTRICT COURT
12-30-86 IN GEM COUNTY CIVIL NO. 3667.
ADDRESS CHANGED PER CLAIMANT REQUEST 9/17/98. DB

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag: