



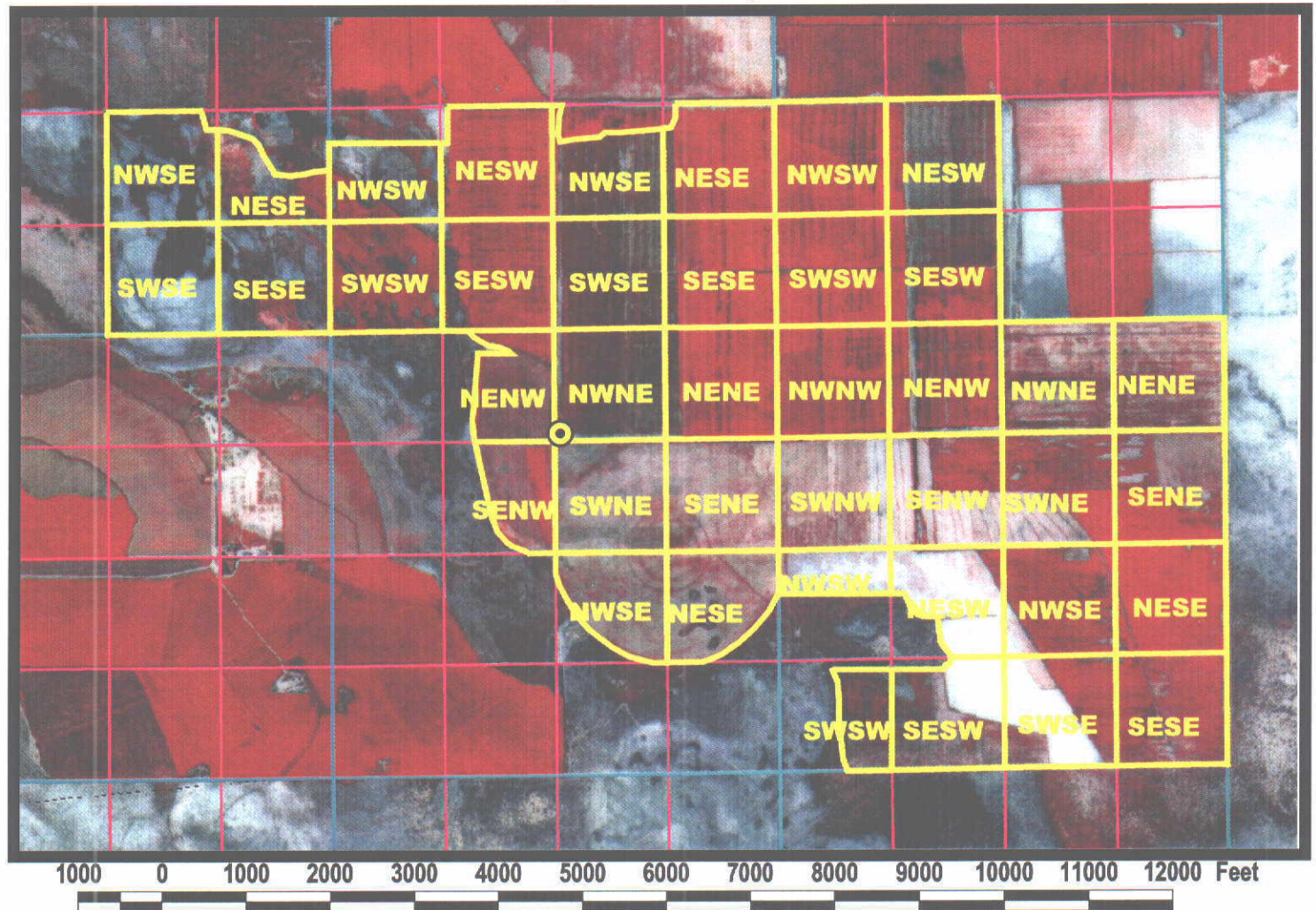
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri, Inc.

**Water Right(s): 33-07027, 33-02117A, 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00030,
33-00065, 33-00115, 33-10109**



LEGEND



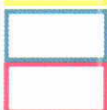
Point of Diversion- GW



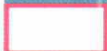
Point of Diversion- SW

SESE

Place of Use



Section Line



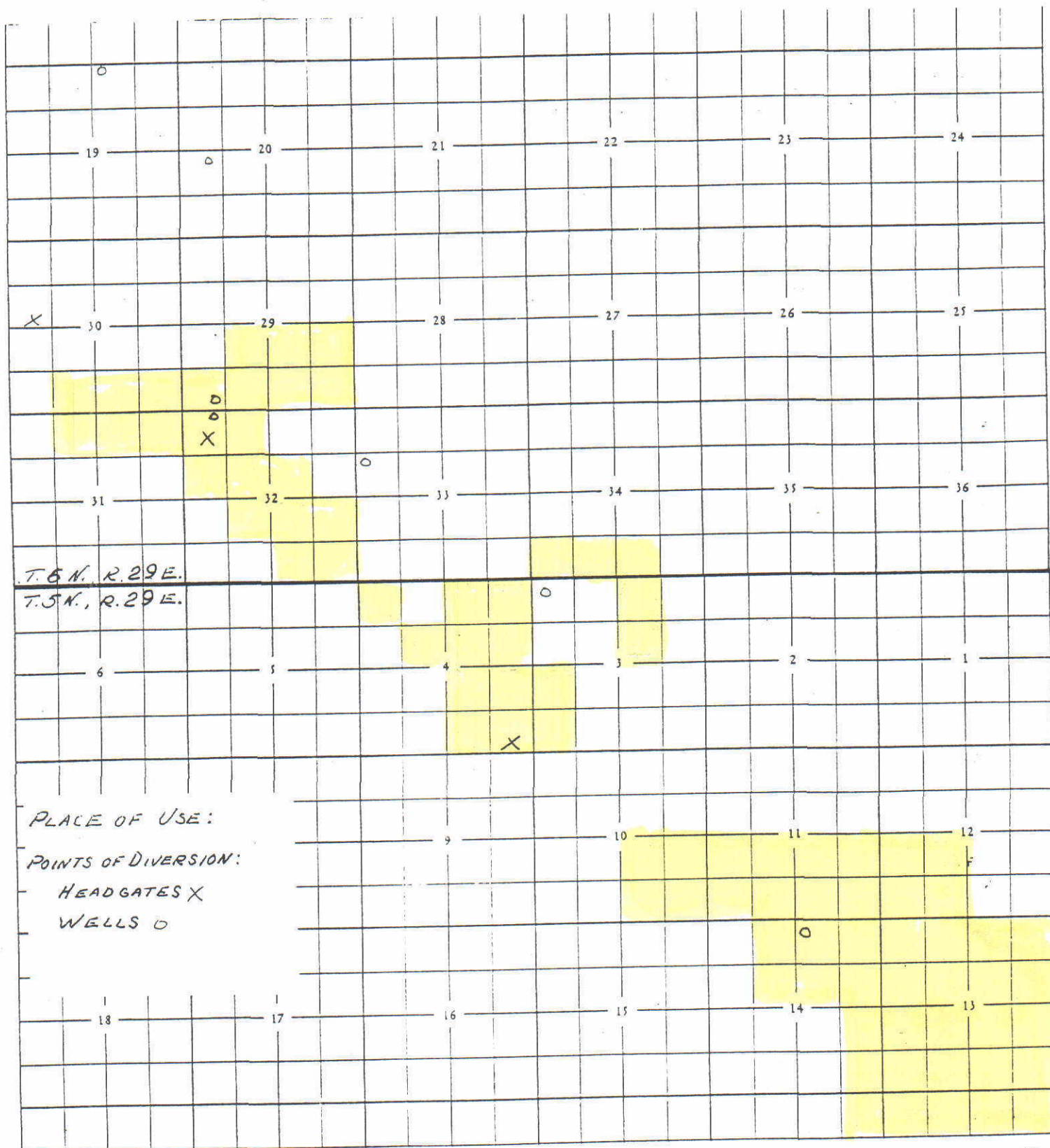
Quarter-section line

**Place(s) of Use: T.5N., R.29E.
(parts of) Sec. 10, 11, 12, 13, 14**

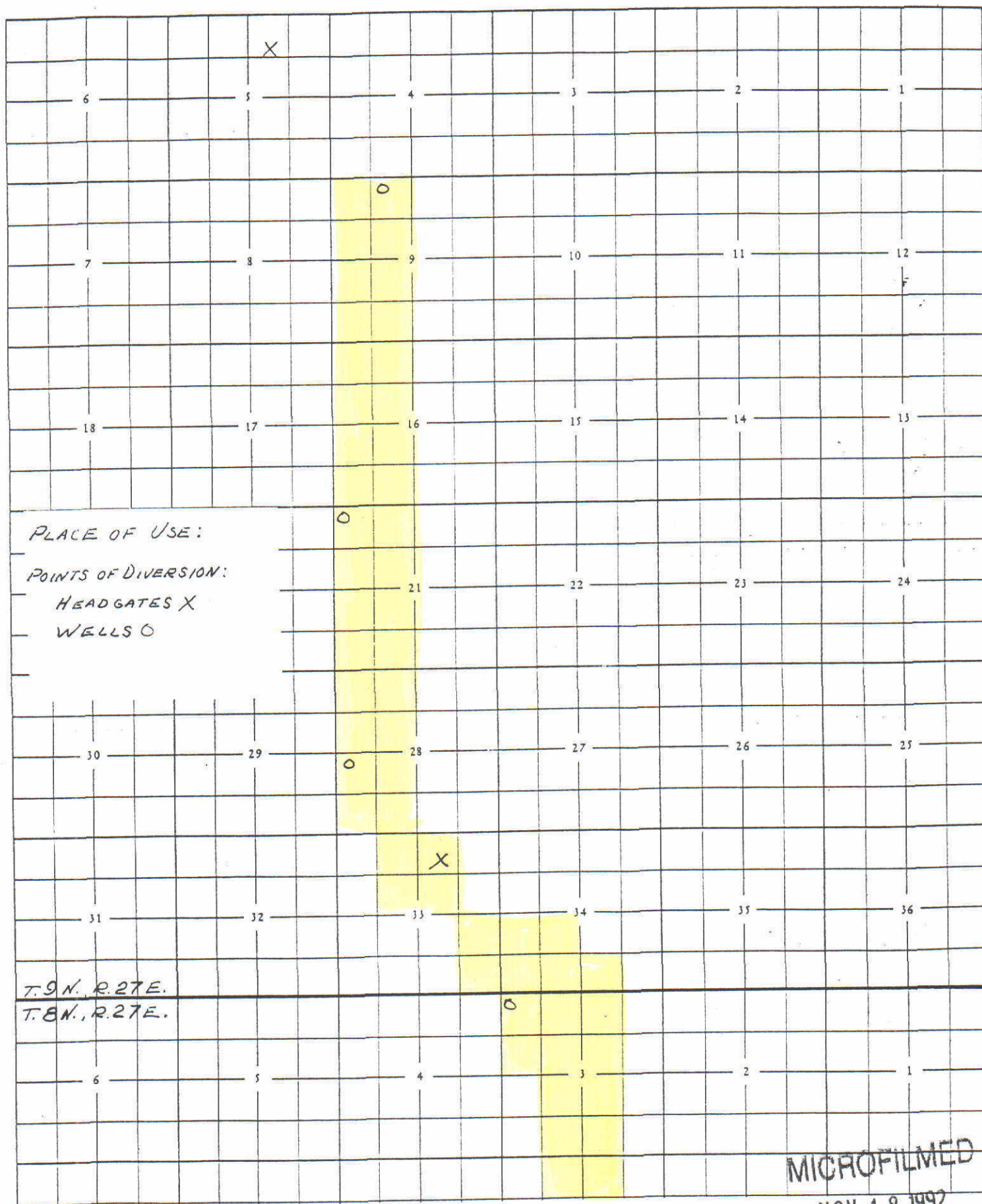
**Point(s) of Diversion: T.5N., R.29E.
Sec. 4 SESESE (surface)
T.5N.,R.29E. Sec. 14
SENENW (well)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999



MICROFILMED
NOV 18 1992



MICROFILMED
NOV 18 1992

11 April 2000

From: Fred Price, BLM-ISO

To: Fred Price, BLM-ISO

CC: Candice McHugh, IDWR ADJUD.

From: A. Ruberry, IDWR Eastern Region

Re: B33 Irr POD's objected to by BLM

POD LOCATION

T11N R26E S10 NWNENE

This legal description defines the beginning of a channelized portion of Sawmill Creek. Apparently back in the 1920'-1930's there were several attempts tried to preserve water from Sawmill Creek because the stream would "break". Among them were things like a canal dug from Sawmill Creek to Summit Creek and a channelization project aimed at cleaning and to some extent straightening the Sawmill Creek channel as it flowed across Mud Flats (ref: OQ U-82).

*See ATTACHED
LIST of SWS
CR RIGHTS.*

In review of the adjudication claims from Sawmill Creek and the Little Lost River, it was initially considered that the source(s) could all be Little Lost River since it was difficult to determine where Little Lost River started and Sawmill Creek ended. Seeing no difference in source recommendations of Sawmill Creek claims were changed to Little Lost River. The Preliminary Director's Report was filed only to find that Sawmill Creek now occasionally breaks at the shearing corrals, which is about half-mile upstream from the confluence of Sawmill Creek and Summit Creek; The beginning of the Little Lost River. This new information seriously impacted recommendations since the Sawmill Creek claims, now changed to Little Lost River, became senior to the junior Little Lost River rights, causing injury to the junior Little Lost River appropriators.

Ultimately, the source issue was changed back to Sawmill Creek. Now a problem arose where a Point of Diversion had to be defined for the Sawmill Creek claims since actual deliveries are made from Little Lost River (except 33-00107 which is a true Sawmill Creek right, but, Decreed as a Little Lost River right). The 1927 Decree states "at the mouth of Sawmill Creek". However, there were no rights diverted at the mouth of Sawmill Creek. And, the dilemma of where was the mouth of Sawmill Creek. In consideration of the channelization project aimed at preserving waters of Sawmill Creek it was determined that the channelization had in-fact changed the streambed to a canal, saving water. Therefore, the beginning of the channelization would now become the Point of Diversion and the ending of the channelization would be a Point of injection back into the Sawmill Creek stream channel. The Point of Injection is near the shearing corrals, about half-mile upstream from the confluence of the streams. The Sawmill Creek claims Point(s) of Diversion are recommended as Points of Re-diversion from Little Lost River at or near their respective Place(s) of Use. This recommendation preserves both the source and the Sawmill Creek priority dates and, forgoes the injury issue of junior Little Lost River rights.

T9N R27E S4 SWNWNE

This objection is a true error. Apparently a typographical error was made during the recommendation process. The TRUE Point of Diversion should read **T9N R26E S4 SWSWNE**. The claimant, Mr. Waymire has been notified and is now aware of the issue.

33-00036
00039
000930

T11NR27E S31 NESESE

BLM believes this POD should read S31 SENESE based on GPS data. However, during the field exam of these claims several Points of Diversion were identified to include the one in question. The recommended POD in-question is an actual Point of Diversion where an unnamed stream intersects with the collector ditch and can be verified using OQ V-32. The site proposed by the BLM is a drainage that was dry during the field exam, thus no recommended POD.

33-00065
33-7087

T6N R28E S2 SESWSW

Specifically named is SRBA claim 33-10995. This claim identifies private lands historically irrigated by the Hawley's, later sold without water. The Point of Diversion used during the irrigation era is on BLM but is now longer used. The claimant filed this SRBA claim and Transfer No. 4551 in an effort to preserve the acreage irrigated by surface water. The transfer is in-place awaiting the BLM objection to prompt IDWR to review and act. However, the transfer is currently protested.

T6N R 28E S11 SESENW

This is an historic Point of Diversion dating back to the late 1800's (according to the water right priority dates, 1885-1891) and is one of three serving the ranch. One of which previously mentioned above, T6N R28E S2 SESWSW. The other is within the private holding of the ranch.

33-10996 is an enlargement claim for acres on BLM lands that were historically irrigated by the Hawley's and is part of the Transfer No. 4551 aforementioned. BLM is aware of this claim and supports the transfer of acreage to private lands. As mentioned previously, the transfer is protested.

33-00051 thru
33-00060

T7N R28E S21 NWNWSW

According to the Proof of Beneficial Use filed for this right (33-07010) this well dates to the 1940's. However, the Licensed date of priority was March 19, 1971, but then Transfer No. 3809 was filed to "unstack" surface and groundwater rights. As a result, the priority date of the well was advanced to July 2, 1990. Surface water decreed to this ranch date to 1885 to 1891.

This particular well dating to the 1940's (unsupported evidence of prior claimant) was located according to the initial survey dating to July 9, 1890, which no doubt established fence lines. A resurvey of the East line of Section 21 was done in August 1941. Then, in 1978, another resurvey was done as evidenced by the monument caps. This 1978 resurvey puts the TRUE Point of Diversion of the 33-07010 well in the NENWSW (a BLM QQ). However, this matter was discussed with Ms Deena Teal, BLM, Idaho Falls District Office, in October of 1996, shortly after the discrepancy was found. Ms Teal indicated, at

Rocky Ross

that time, that since the well predated some 1976 ruling, by which BLM operated, they (BLM) would not protest the actual POD. This basically explains the history of the well and the recommendation; however, the listing of the POD as NWNWSW is clearly an error. The CVR shows the POD to be located as NENWSW Sec. 21, which is accurate.

T8N R28E S31 SWNWSE

This POD defines a well used solely for mitigation and is defined as an amendment to the 1927 decree as a Judgement against Orville Nicholson, 1954. The recommendation does define a Place of Use; however, this POU is by exchange with surface waters as defined in the Judgement. The period of use is 4/1 to 7/15 annually, when all this well does is deliver water to the river. The Objection is not to the Point of Diversion, but rather to the Point of Injection. And, in-fact, as recommended this Point of Injection is accurate.

T6NR29E S31 NWSWNW

This is another typographical error. The recommended POD should read T6N R29E Section 30 NWSWNW. There is a pending Transfer to correct the actual POD location to T6N R28E Section 25 NESENE.

33-02128
31B
48B
49B
50B
83C

Contor, Bryce
From: Contor, Bryce
Sent: Wednesday, January 19, 2000 4:27 PM
To: Ruberry, Allen; Carlsen, Ernie
Subject: Sawmill Creek Rights

This morning we met via teleconference with Dave Tuthill and Peter Anderson. One of the things we discussed was the Sawmill recommendations. During our call, Bill Stauffer called and reported that he had discussed the Sawmill recommendations with others, including Don Isham, James Andreason, and David Andreason. They all concur with the proposals in the January 6 letter. James Mays has sent us written concurrence.

Per Dave Tuthill's instructions to Al and me, I have gone ahead and changed the source of Sawmill Creek rights back to "Sawmill Creek, tributary to Little Lost River." The point of diversion is 11N 26E section 10, NWNENE, and the point of injection is 10N 27E section 18, NWSESW. The former points of diversion have been identified as points of redirection. I removed any comments relating to change of source and I removed condition C02.

The rights I changed were:

R33-00023B
R33-00030
R33-00043
R33-00077
R33-10070
R33-10073
R33-10084
R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

R33-00038 1927 decree & claim list source as
Little Lost River
R33-00096B Recommended w/ source "Summit Creek"
R33-00107 Recommended originally w/ source
"Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"

33-30

DISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS, STATE OF IDAHO
OCT 25 2000

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(s): 33-00024 et al
Case No. 39576) Pancheri Inc
ORDER SETTING HEARING

The court sets the following hearing in the above subcase(s):

- ☒ Status Conference
- ☐ Settlement Conference
- ☐ Scheduling Conference

Date: Dec 20, 2000 11am
Location: SRBA Court phone

DATED: 10/25/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Order was hand delivered to the following:

Representative of:
Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Kent Foster

Representative of:
United States Dept. of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Teri Horvath
Deputy Clerk

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, November 15, 2000 11:43 AM
To: Music, Vicky
Subject: SF5 33-30



Here it be. No GIS layout is attached because POU didn't change, and original layout didn't include PD's (PD's are 40 miles north of PU).



33-30.doc

RECEIVED

APR 10 2000

Department of Water Resources

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

A. Subcase 33-00030

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul E. Holleman, 202 305-0494

United States Department of Justice, Environment and Natural Resource Division, General Litigation Section
550 West Fort Street, MSC 033, Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pancheri, Inc.

Address: HC 65 Box 2104 Howe, ID. 83244

Name: c/o Jerry Pancheri, President

Address:

Name:

Address:

Name:

Address:

*Samuel
D PDD
Remains re: measurement
point
SFS done
e mailed to Vicki Murie
e CWR vers. 2 & 505 yd
done
Bac 11/15/00*

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

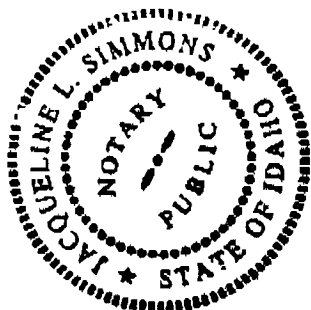
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge

Fredric W. Price
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 7, 2000



Jacqueline L. Simmons

Jacqueline L. Simmons

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Pancheri, Inc.

Address: HC 65 Box 2104 Howe, ID. 83244

Name: c/o Jerry Pancheri, President

Address:

Name:

Address:

Name:

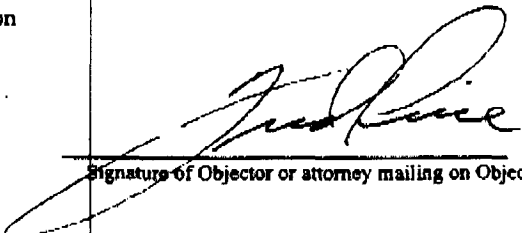
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJS956NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-29-2001
PAGE: A-607

RIGHTS FROM:	SOURCE: SAWMILL CREEK	TRIBUTARY: LITTLE LOST RIVER	
RIGHT NUMBER:	33-00030		
NAME & ADDRESS:	PANCHERI INC C/O JERRY PANCHERI PRES MC 65 BOX 2104 HOME ID 83244		
SOURCE:	SAWMILL CREEK	TRIBUTARY: LITTLE LOST RIVER	
QUANTITY:	0.18 CFS		
	THE QUANTITY OF WATER THAT MAY BE DELIVERED AT THE POINT(S) OF DIVERSION DESCRIBED BELOW IS 0.14 CFS. THIS REDUCTION IN QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.		
PRIORITY DATE:	05/25/1891		
POINT OF DIVERSION:	T10N R27E S18 T05N R29E S04 T11N R26E S10	NWSESW (INJECTION) SESESE (REDIVERSION) <u>NWNESE</u> BLM - POO NOT USED	Within BUTTE County Within LEMHI County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION STOCKWATER	PERIOD OF USE 04-01 11-01	QUANTITY 0.18 CFS
PLACE OF USE:	IRRIGATION T05N R29E S10 S11 S12 S13 S14 1464 ACRES TOTAL	Within BUTTE County NESE 23 NWSW 40 NESE 40 NWSW 40 NENE 40 NENW 40 NWSW 32 NESE 40 NENE 40 NENW 28	NWSE 40 NWSW 28 NWSW 31 NWSW 40 NWSW 40 SWNE 40 SWNW 40 NWSW 17 SWSE 40 SWNE 40 NESE 34 SESE 40 SESW 40 SESE 40 SESW 40 SENE 40 SESW 39 SESE 40 SENE 40 NWSE 32

Issue:

Point of diversion on BLM

AC5816NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-13-2000
PAGE: 3-619

RIGHTS FROM: SOURCE: SAWMILL CREEK

TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00030 (CONT)

PLACE OF USE: (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00115, AND 33-00065. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1464 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-02117A, 33-07027, 33-10109, AND 33-10999.

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 - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1423, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1423, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-10999

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

DATE RECEIVED

CK #

AMOUNT \$

CLAIM NO.

A33-00030

YES

NO

Required Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered?

Claim checked by: DCDate: 3/1/90Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: DC
 Claim data entered by: DC
 Sent to claimant by: DC

Date: 3/1/90Date: 3/1/90Checked by: DCDate: 3/1/90

Comments: _____

MICROFILMED

NOV 18 1992

A33-00030
PANCHERI, INC.
C/O JERRY PANCHERI, PRES
HOWE ID 83244

R



A3300030

Sis Trans. 440

Do with 00028 & 00029.

Contor, Bryce

From: Contor, Bryce

Sent: Wednesday, January 19, 2000 4:27 PM

To: Ruberry, Allen; Carlsen, Ernie

Subject: Sawmill Creek Rights

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The rights I changed were:

R33-00023B

R33-00030✓

R33-00043

R33-00077

R33-10070

R33-10073

R33-10084

R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

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Little Lost River

R33-00096B Recommended w/ source "Summit Creek"

R33-00107 Recommended originally w/ source
"Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

David Andreason
Watermaster, Water District 33
Howe, Idaho, 83244

Sawmill Creek Water Users
Water District 33
Howe, Idaho, 83244

Dear Watermaster and Water Users:

Based on the information available to the department at the time, Idaho Department of Water Resources recommended the Little Lost River as the source for water rights originally decreed with a source of Sawmill Creek. This change effectively puts the Sawmill Creek rights on a par with Little Lost River rights.

Through the Notice of Error process, additional information has been brought forward indicating that the recommendations should be changed to show the source as "Sawmill Creek" as originally decreed. This change would afford protection to holders of Little Lost River rights that have priorities junior to May 25, 1891, the priority for decrees from Sawmill Creek.

The 1927 decree lists "the mouth of Sawmill Creek" as the Point of Diversion, with implied injection into the Little Lost River and implied points of rediversion near the places of use.

It appears that the basis for these Sawmill Creek rights was a channelization or improvement of Sawmill Creek. We have tentatively selected the apparent beginning of the channelization as the recommended Point of Diversion, as illustrated on the attached maps. The confluence of Sawmill Creek and Summit Creek would be recommended as the Point of Injection, and the headgates on the Little Lost River as Points of Rediversion.

To administer Sawmill Creek rights separately from Little Lost River rights, the watermaster would have to measure the contributions of Sawmill Creek to the Little Lost River. The attached maps show the apparent historical location where these measurements were taken and a proposed alternate measurement point. The measurement point would not be specified in the water right recommendations but would be a practical matter for the watermaster's administration.

Please review these proposed changes to the recommendations and the enclosed maps and respond with the attached form. Feel free to mark the maps and add additional comments as needed. Please return any comments by January 15, 2000.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

**RESPONSE TO PROPOSED CHANGES IN
SAWMILL CREEK RECOMMENDATIONS**

Name _____

Water Rights _____

I. Point of Diversion

I agree with the proposed Point of Diversion _____

I disagree. I propose instead: (describe below and mark maps)

II. Point of Injection and Points of Rediversion

I agree _____

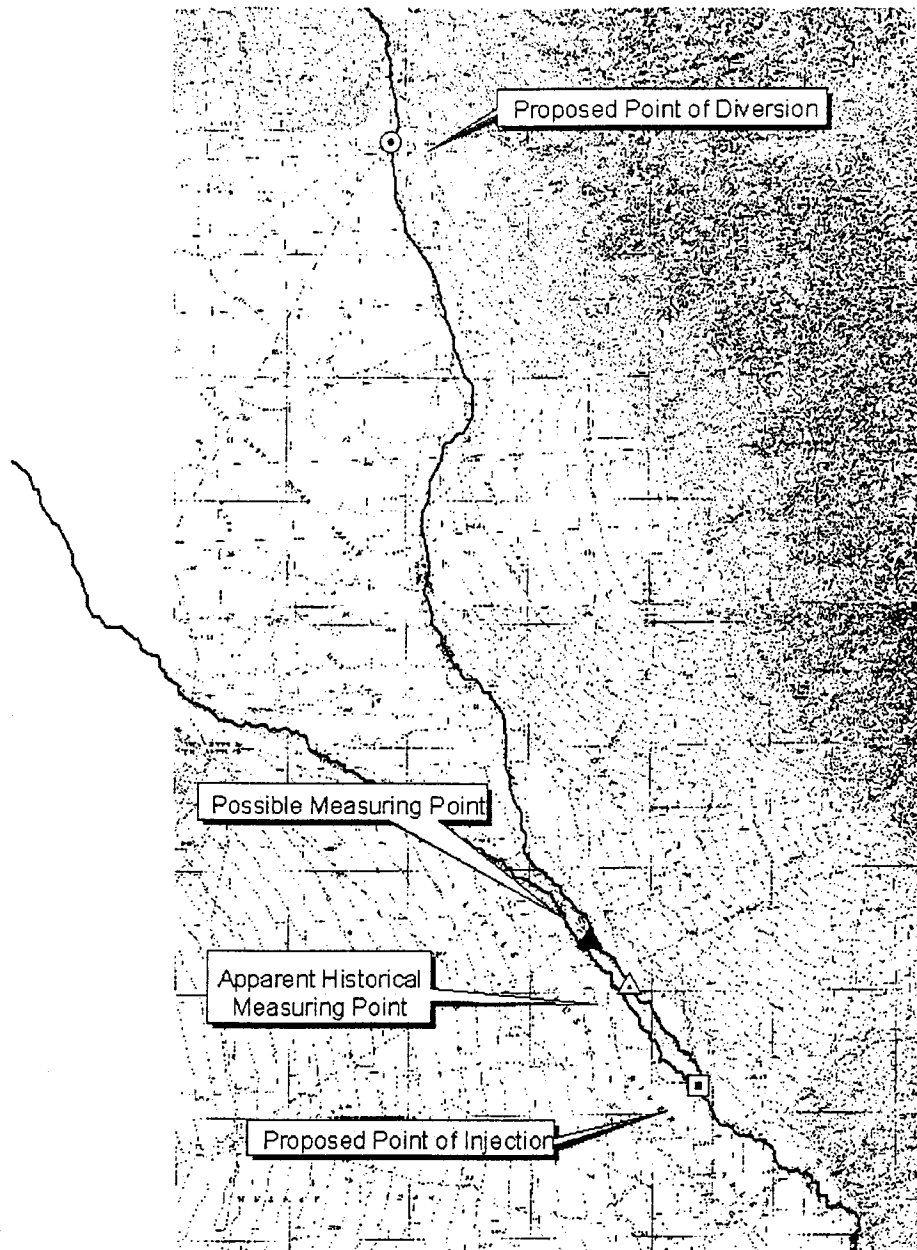
I disagree. I propose instead: (describe below and mark maps)

Signature _____ Date _____

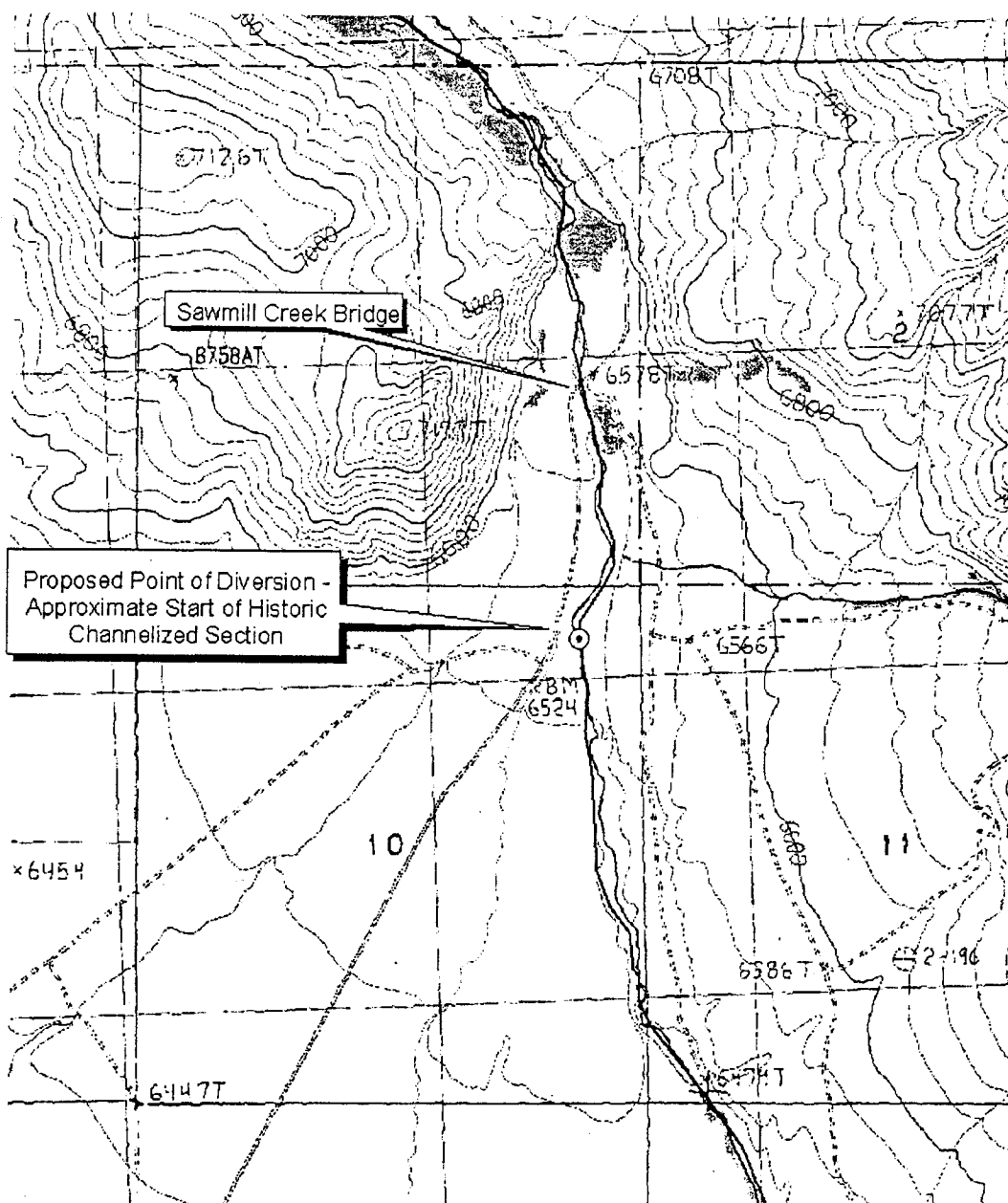
Please feel free to attach additional comments. Please return to:

IDWR Adjudication, 900 N Skyline Ste A, Idaho Falls, ID 83402, by January 15, 2000

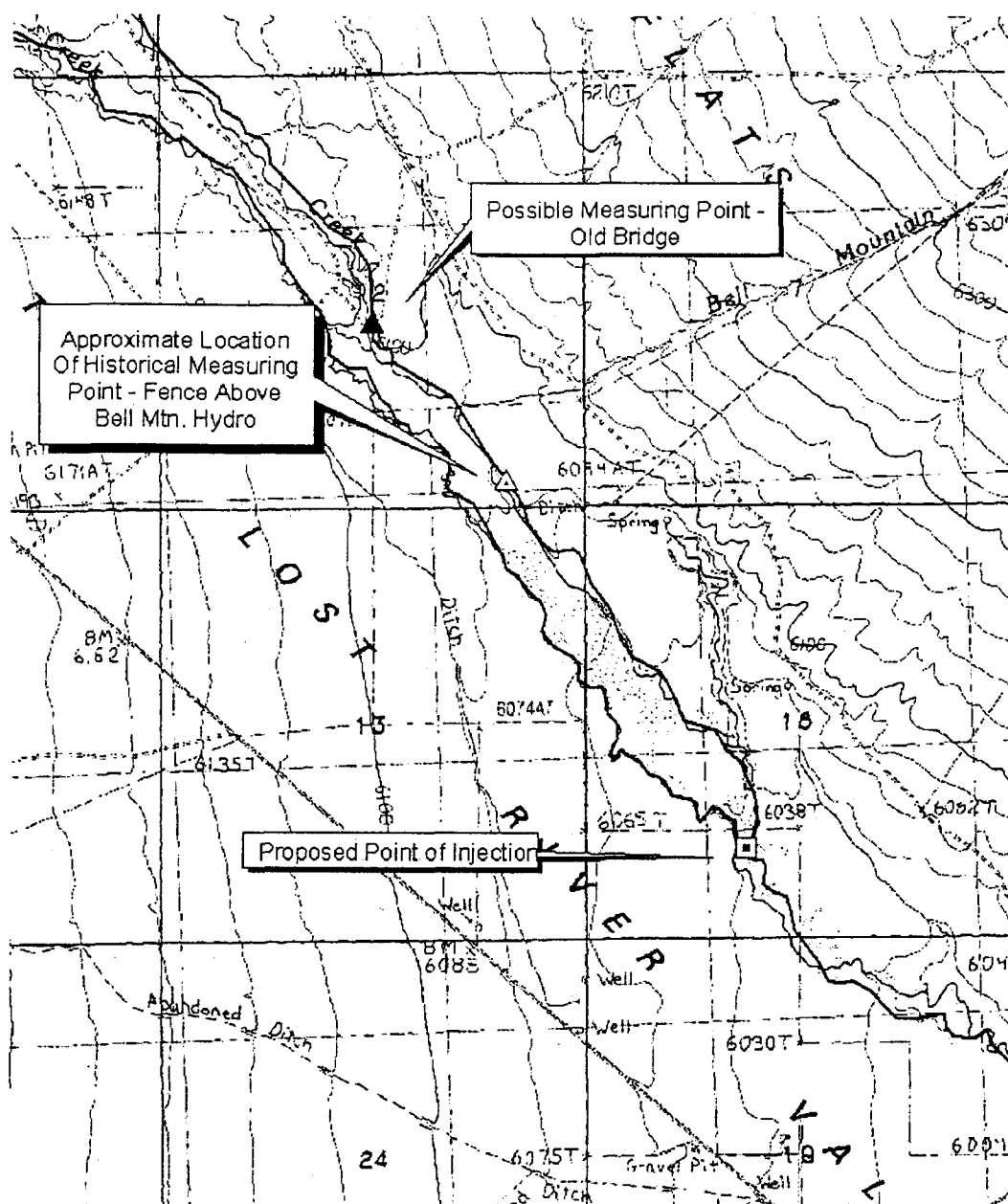
Idaho Department of Water Resources Sawmill Creek Proposal



Idaho Department of Water Resources
Sawmill Creek Proposal



Idaho Department of Water Resources
Sawmill Creek Proposal



December 2, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00030

PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/21/99 SIGNATURE: Rod Panch
Please print your name: _____

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

DEC 26 25

Surfactant WATER

Water Right Number: _____ - _____ Date: ____/____/____

See file 33-0028 for Appl., letters, etc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 440

THIS is to certify that James D. Little, of Howe, County of Butte, State of Idaho, has rights to the use of the waters of Little Lost River and Sawmill Creek, for irrigation and domestic purposes, and that said rights have been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of Elaine County Investment Company, plaintiff, vs. Robert G. Mays, et al, defendants, Ralph W. Adair, District Judge, wherein water rights were awarded as follows:

From Little Lost River, 0.08 second feet, 0028
priority, April 1, 1889;
From Little Lost River, 0.34 second feet, 0029
priority, June 1, 1891; (17")
From Sawmill Creek, 0.18 second feet, 0030
priority, May 25, 1891; (9")

Total cfs = 0.60

That the waters above described were decreed to the following described lands, to-wit:

Lot 1, Section 5, Township 5 North, Range 29 East, Boise Meridian;

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 86 to 102.

That, upon the application of James D. Little for a transfer of water right, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 0.6 second feet of the waters of Little Lost River and Sawmill Creek upon the land above described is hereby abandoned and the lands to be irrigated under such rights and to which the water rights hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are described as follows, said water being limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts with the following dates of priority, to-wit:

0.08 second feet, dated April 1, 1889;
0.34 " " " June 1, 1891;
0.18 " " " May 25, 1891;

Southeast quarter (SE $\frac{1}{4}$) Section 10, and Southwest quarter (SW $\frac{1}{4}$) Section 11, Township 5 North, Range 29 East, Boise Meridian.

SE $\frac{1}{4}$ Sec. 10
SW $\frac{1}{4}$ Sec. 11

TSN R29E

That the water rights to be transferred have heretofore been diverted in the NE $\frac{1}{4}$ Section 32, Township 6 North, Range 29 East, Boise Meridian, and carried through the Little ditch, but will hereafter by virtue of this certificate be diverted in the SE $\frac{1}{4}$ Section 4, Township 5 North, Range 29 East, Boise Meridian, and carried through the Wilde Lateral.

Heavy Div. @ Sec. 4

That no right to the use of water on the lands last above described exists at the date of this certificate except as herein stated, and that the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

WITNES, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 13th day of March, 1929.

(SEAL)

GEO. N. CARTER
Commissioner of Reclamation

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/21/95 00:01:06
Page 1

Water Right Number - 33-00030

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LITTLE

JAMES D.

1 -

2 -

3 -

City- HOWE

Phone -

State- ID Zip- 83244

*** O - ORIGINAL OWNER ***
WILDE

OTTO G.

1 -

2 -

3 -

City-

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/25/1891 15 EASTERN D - DECREED

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
SAWMILL CREEK LITTLE LOST RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

05N 29E 4 SE SE (23) BUTTE

+ - - - - Description - - - - - +
Code Diversion Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

0.180

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.180

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

05N	29E	10 11	NE SW	01	IRRIGATION	(23) BUTTE
05N	29E	10 11	NW SW	01	IRRIGATION	(23) BUTTE
05N	29E	10 11	SE SW	01	IRRIGATION	(23) BUTTE
05N	29E	10 11	SE SW	01	IRRIGATION	(23) BUTTE
05N	29E	10	NE SE	01	IRRIGATION	(23) BUTTE
05N	29E	10	NW SE	01	IRRIGATION	(23) BUTTE
05N	29E	10	SW SE	01	IRRIGATION	(23) BUTTE
05N	29E	10	SE SE	01	IRRIGATION	(23) BUTTE

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 33-0028 & 0029.

→ Committed through Boise 2/28/96

Per 7.440

Water right number -	33-00030	Prefix Translation:	WATER RIGHT
TRANS. #440.			
Remarks			
Old Water Right Numbers			
No Old Water Right Numbers found.			
Conditions of Approval			
No Conditions of Approval found.			
Decree Plaintiff	Decree Defendant	Decree Date	
BLAINE COUNTY INVESTMENT CO.	ROBERT G. MAYS, ET. AL.	03/04/1927	
Comments			
No Comments Found			
Audit Fields	08/05/85	05/22/88	CONVERT
Water Rights Dates and Flags Area			
Proof Due Date	00/00/0000	Field Exam Made	00/00/0000
Approved/Denied	00/00/0000	Protested Date	00/00/0000
Proof Made Date	00/00/0000	Hearing Date	00/00/0000
Exam to S.O. Date	00/00/0000	Verified Date	08/05/1985
Order Show Cause	00/00/0000	Receipt Number	33
Licensed Date	00/00/0000	Appl Received	00/00/0000
Decree Date	03/04/1927	Name Connector	
Presumption Flag		Field Exam Fee	
		Swan Falls	
		Temporary Right	P
		DLE/Carey Act	
		Water District	
		Transfer/Amended	
		POU Ownership Flag	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:54
03/25/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00030

545

LAST: LITTLE
ADDRESS:
CITY:
PHONE NUMBER: 208-000-0000
FIRST: JAMES D.
STATE: ID ZIP: 83244

OWNER CODE: 0

LAST: WILDE
ADDRESS:
CITY:
PHONE NUMBER: 208-000-0000
FIRST: GITO G.
STATE: ID ZIP: 00000

OWNER CODE: 0

LAST: PANCHERI, INC.
ADDRESS: C/O JERRY PANCHERI, PRES
CITY:
PHONE NUMBER: 208-767-3419
FIRST:
STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE
FIELD EXAMINER

CLAIM REMARKS: TRANS. #440.
cc: Comments
Copy Attached

Attorney of Record:
FOSTER, KENT W.
HARDEN KIDWELL HANN & CARDO
PO Box 50130
IDAHO FALLS ID 83405
(208) 523-0620

CONTACT PERSON: A. Fuestary

PHONE NUMBER: () - -

MEETING

DATE OF FIELD EXAM: 8/12/95

APPOINTMENT MADE: Y () N ()

TIME: 0:30 A () P ()

MET WITH

ACCOMPANIED BY: J. P. Pomeroy

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

8/8/95 K. Foster, Atty. was contacted to arrange a meeting with J. Pomeroy to discussand review uses of rights.(1) FIELD EXAM 7 SEPT 95 A. Pomeroy w/ J. Pomeroy(2) FIELD EXAM 13 SEPT 95 A. Fuestary & G. Carlson

A. AJ CLAIM: # A33-00030 PRIORITY DATE: 05-25-1971 STAGE: D
B. WR RECORD: # 33-00030 PRIORITY DATE: 05-25-1971 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y/N) N()

NOTES: Priority Date claims materials Doc 465.

RECOMMENDED PRIORITY DATE: As claimed
35-25-1971

REVIEWED BY [Signature] DATE 1 Feb 96

33-00115
 33-02114
 33-02056
 33-02065
 33-02066
 33-02092
 33-02103
 33-02112
 33-02114
 33-02117
 33-07115
 33-07027
 33-10021
 33-10057
 33-10073
 33-10076
 33-10109
 33-10112

SOURCE: SAWMILL CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
33-00030	05N	29E	4		SE	SE		BUTTE

OTHER WR RECORDS WITH SAME WR POC

33-00028
 33-00029

40 CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX
 Q PREFIX

33-00024 NONE
 33-00027
 33-00055
 33-10112

TRIS: LITTLE LOST RIVER

SOURCE: SAWMILL CREEK

TRIS: LITTLE LOST RIVER

C. FIELD EXAM REQUIRED?

DUE TO POC DISCREPANCY? (Y/N)		DUE TO SOURCE DISCREPANCY? (Y/N)		FIELD EXAMINER

NOTES:

TRANS. 440 MOVES P.O.D. TO S&S&S SEC. 4, T. 5N, R. 29E. ON 13 MAR 1929. NO OTHER
 TRANSFERS HAVE BEEN RECORDED.

P.O.D. NO CHANGE TO LEGAL - ONLY TO POC. TRACT

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A33-00030

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: T.M. R.E. SEC.	1/4	1/4	1/4	COUNTY	DIVERSION NAME
SW 29th 24	SE	SE	SE	Butte	Army Div. @ Panzer's House
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	Charles Sanders
---	---	---	---	---	SWC to U.R.?
---	---	---	---	---	---
---	---	---	---	---	---

SOURCE: SAWMILL CREEK

TRIM: LITTLE LOST RIVER

REVIEWED BY:

DATE: 11-23-96

SYSTEM DESCRIPTION:

① DIVERSION FROM LITTLE Lost RIVER AT SEC. 4 SUSE
IS A GATE TO THE DITCH WHEN FLOWS EAST,
THEN SOUTH TO SEC. 10 AND ON...

② SEVERAL RIGHTS ARE DIVERTED FROM LLR CHANNEL AT THIS P.O.D.

KΦ6: 24-3015

213

CD₃

CD5

PRESUMPTION FLAG: D

NOTES:

TRANSECT 440 PUTS ROW TO SE⁴ SEC 10 AND SW⁴ SEC 11, T.5N, R.29E. (ANALYSIS UNRECORDED)
W/RE DATA BASE STRONG BY SHOWING SE⁴ AND SW⁴ SEC 10 - CONNECTED THROUGH BOND 2 FEB 91.
CLAIMED PLACE OF USE PAGES 7-125 RISMOUND. SEE CANONIST ATTACHMENT PAGES.

RECOMMENDATIONS:

TOTAL ACRES: 119 AC

REVIEWED BY: ASB/amy

DATE: 12 FEB 96

CDS

IX

OTTO G. WILDE and ANNA WILDE, husband and wife;

From Little Lost River:

From Saw Mill Creek;

Point of diversion:

From Little Lost River:

to be used upon and appurtenant to:

Lot One (1) of Section Five (5), Township Five (5) North of Range Twenty-nine (29) East of Boise Meridian, containing 46.20 acres; also the East half of the Southeast Quarter (E¹SE⁴) of Section Four (4), in Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; the West half of the Southeast quarter (W¹SE⁴) of Section Four (4), Township Five (5) North of Range Twenty-nine (29) E. B. M., except a small tract of approximately five to ten acres, located in the southwest corner of the eighty acre tract.

EXCEPT FROM BLANKS B. FURBER. VS R.G. MAYS. - 1st. Decree
4 MARCH 1927, Pg. 5, SECTION IX.

80 inches, April 1, 1881; 133' 0027
4 inches, April 1, 1889; 133' 0028
17 inches, June 1, 1891, 33' 0029
9 inches, May 25, 1891, 33' 0030

1st Sec. 5 T.5N 29E 1/4 (1/4 2000)
E. 25' Sec. 4 T.5N 29E
W. 25' Sec. 4 T.5N 29E
EXCEPT 25' 00" 1/4 2000

Sec. 4 T.5N 29E

A. AJ CLAIMED USES:

PURPOSES
A33-00030 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.180 CFS

.180 CFS

B. WR RECORDED USES:

PURPOSES
33-00030 IRRIGATION

MONTH/DAY
FROM TO
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.180 CFS

.180 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE N N Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N()

Y(✓) N()

EXPLAIN IN NOTES, BELOW.

NOTES:

RECOMMENDED PERIOD OF USE AS DISCREPANCY AS CLAIMED

DISCREPANCY AS 9 INCHES (0.18 CFS)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.180 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.180 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD
DATABASE EXAMINER

B. FLOW MEASUREMENT

MEASUREMENT METHOD WATERSHED, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: SEE A33-00030

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00030	SANMILL CREEK	PANCHERI, INC.	0.180			
A33-00032	DRY CREEK	BLAINE COUNTY CANAL CO.	5.500			
A33-00033	DRY CREEK	BLAINE COUNTY CANAL CO.	61.000	0.010		
A33-00034	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	12.000	0.002		
A33-00035	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	145.000	0.025		
A33-00014	DRY CREEK	BLAINE COUNTY CANAL CO.			9426.00	1.66
A33-00015	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.			2000.00	0.35
A33-00016	SUNNY CREEK	BLAINE COUNTY CANAL CO.			1030.00	0.16
	TRAIL CREEK					
	SUMMERHOUSE CREEK					
A33-00017A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.900	0.001		
A33-00018A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.900	0.001		
A33-00019A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	0.360			
A33-00020A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.900	0.001		
A33-00021A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	0.240			
A33-00022A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	3.120	0.002		
A33-00024	LITTLE LOST RIVER	PANCHERI, INC.	0.500			
A33-00025	SAN MILL CREEK	PANCHERI, INC.	1.100			

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00026	SAM MILL CREEK	PANCHERI, INC.	1.900			
A33-00027	LITTLE LOST RIVER	PANCHERI, INC.	1.500			
A33-00028	LITTLE LOST RIVER	PANCHERI, INC.	0.280			
A33-00029	LITTLE LOST RIVER	PANCHERI, INC.	0.540			
A33-00030	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.400	0.001		
A33-00031	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.440	0.001		
A33-00032	LITTLE LOST RIVER	PANCHERI, INC.	2.140			
A33-00033	LITTLE LOST RIVER	PANCHERI, INC.	2.500			
A33-00034	SPRING CREEK	PANCHERI, INC.	1.540			
A33-00035	BAUGER CREEK	PANCHERI, INC.	0.720			
A33-00036	LITTLE LOST RIVER	PANCHERI, INC.	4.580			
A33-00039	LITTLE LOST RIVER	PANCHERI, INC.	1.360			
A33-00040	LITTLE LOST RIVER	PANCHERI, INC.	1.500			
A33-00042	LITTLE LOST RIVER	PANCHERI, INC.	0.480			
A33-00043	SAM MILL CREEK	PANCHERI, INC.	0.160			
A33-00044	LITTLE LOST RIVER	PANCHERI, INC.	1.400			
A33-00045	LITTLE LOST RIVER	PANCHERI, INC.	2.400			
A33-00046	LITTLE LOST RIVER	PANCHERI, INC.	1.300			
A33-00047	SAM MILL CREEK	PANCHERI, INC.	2.100			
A33-00055	BELL MOUNTAIN CREEK QUAKEN ASP SPRINGS MAHOGANY CREEK	PANCHERI, INC.	6.400	0.001		
A33-00058	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	4.290			
A33-00075	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	3.430			
A33-00077	SAMMILL CREEK	BLAINE COUNTY CANAL CO.	1.430			
A33-00084	SAM MILL CREEK	PANCHERI, INC.	4.200			
A33-00088	DRY CREEK	PANCHERI, INC.	3.200			
A33-00090	LITTLE LOST RIVER	FM1A	1.500	0.010		
A33-00090	LITTLE LOST RIVER	PANCHERI, INC.	0.350			
A33-00090	LITTLE LOST RIVER	PANCHERI, INC.	0.300			
A33-00090	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	0.400			
A33-00090	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	0.700			
A33-00092	SAM MILL CREEK	PANCHERI, INC.	1.000			
A33-00098	DRY CREEK	BLAINE COUNTY CANAL CO.	5.150			
A33-00109	SAM MILL CREEK	PANCHERI, INC.	1.000			
A33-00115	LITTLE LOST RIVER	PANCHERI, INC.	1.500			
A33-02014	UNNAMED SPRING	PANCHERI, INC.	1.900			
A33-02056	GROUNDWATER	PANCHERI, INC.	2.740			
A33-02055	GROUNDWATER	PANCHERI, INC.	4.560			
A33-02056	GROUNDWATER	PANCHERI, INC.	4.080			
A33-02039	GROUNDWATER	PANCHERI, INC.	2.300	0.008		
A33-02035	GROUNDWATER	MONSON, ESQ., PETER	2.410			
A33-02126	GROUNDWATER	PANCHERI, INC.	4.590		957.00	0.20
A33-02113	GROUNDWATER	PANCHERI, INC.	2.520			
A33-02117	GROUNDWATER	PANCHERI, INC.	4.340	0.001		
A33-02125	GROUNDWATER	PANCHERI, INC.	6.000	0.001		

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-07015	GROUNDWATER	PANCHERI, INC.	1.770	0.001	754.80	0.15
A33-07027	GROUNDWATER	PANCHERI, INC.	6.000			
A33-10073	SAWILL CREEK	MAYS LAND AND LIVESTOCK INC	1.100	0.003		
A33-10074	DRY CREEK	MAYS LAND AND LIVESTOCK INC	4.850			
A33-10034	SAWILL CREEK	BLAINE COUNTY CANAL CO.	5.500	0.011		
A33-10036	SAWILL CREEK	BLAINE COUNTY CANAL CO.	72.700			
A33-10036	GROUNDWATER	SCHOOL DISTRICT NUMBER 111, J	0.060	0.020		
A33-10109	GROUNDWATER	PANCHERI, INC.	7.590	0.001		
A33-10119	DEER CREEK	PANCHERI, INC.	1.400	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-10054	DOMESTIC	ISHAM FARMS	01-01 TO 12-31	.040 CFS	
A33-10054	STOCKWATER	ISHAM FARMS	01-01 TO 12-31	.030 CFS	
A33-07057	DOMESTIC	HOME WATER DISTRICT	01-01 TO 12-31	1.000 CFS	
A33-10113	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10113	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10114	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10114	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10112	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10110	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10110	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10117	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10117	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10115	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10115	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10116	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10116	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10111	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10111	STOCKWATER	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10111	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	
A33-10118	DOMESTIC	PANCHERI, INC.	01-01 TO 12-31	.040 CFS	

0.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

18. CALCULATIONS

1A. IRRIGATION RATE
ACRES ----- X 0.02 CFS/ACRE = ----- CFS
(TAKEN FROM P/3 REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 1199 X CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 4196.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES ----- X DIVERSION VOL. AF/A FOR AREA ----- =

TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

TRANS. #440.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

System used to commercial S.W. w/ C.W. for permits 1818
Place of use on licensed lands.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/FABANDON ACCEPTED AS CLAIMED (X) NEEDS REVIEW (X)
ADDITIONAL DIV. AMOUNT (X) (X)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00030
TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-00030	0.180	-		33-00030	0.180
TOTAL CFS		0.180				0.180

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 SHEET ATTACHED? (Y/N)

DATABASE Y
FIELD EXAMINER

NOTES:

This Right is not Split - Claimed in Full.
Transcript #440 shows 00028, 00029, 00030 Diverted and used to estimate.
33-00028 0.08 cfs - 04/01/1889
33-00029 0.34 cfs - 06/01/1891
33-00030 0.18 cfs - 05/25/1891
Totals: 0.60 cfs As Priorities Allow
Also commingles with 33-00024, 25, 26c, 27 & 115 S.W. RIGHTS AND 33-07027 AND 02117 G.W. RIGHTS

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 1 FEB 96
NAME OF FIELD EXAMINER: ALAN B. RICHMOND TITLE: Sec. Agt.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/25/93

PAGE: 13
QUIKLOOK INFORMATION

CLAIM NUMBER: A33-30050
673

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			7 SEP 95					
POINT OF DIV			14 SEP 95		6			
SOURCE			ABC-DNC		5.6.3			
PLACE OF USE					5.6.3			
DIV. AMOUNT CF5/VOLUME					5.6.3			
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE					5.6			
BASIS OF CLAIM					6			
REMARKS					6			

"VERIFIED BY" CODES

IDPO MAP/CRTH-PQ = 1
ASCS MAP = 2
INTERMASTER RECORDS = 3
VAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

Presump. Cons: D

Bmc Cons

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Cond. & Remarks

CP3 Rdb6
CP5 512

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06:47:25
03/25/93
679

CLAIM NUMBER: A33-00030

PAGE: 135
PROFILE REPORT

OWNER CODE: C
NAME & ADDRESS: PANCHERI, INC.
C/O JERRY PANCHERI, PRES
H04E IO 33244
(208) 761-3419

PRIORITY DATE: 05/25/1871
WATER USE: IRRIGATION

USE PERIOD FROM TO: 06-01 11-01
DIVERSION RATE: 0.18 CFS
DIVERSION VOLUME: 0.18 CFS

TOTAL DIVERSIONS: 0.18 CFS

WATER SOURCE: SAWMILL CREEK
TRIBUTARY TO: LITTLE LOST RIVER
STAGE: DECREED

POINT(S) OF DIVERSION: T05N R20E S04
T05N R29E S10
T05N R27E S05
T05N R27E S33

POD. SPECIFIED BY T.440

SE/SESE Hwy Dv
SW/WS Upper Hamman
NW/WS Hamman
N/NE Water
N/NE L.R. @ Broadch Ranch

PLAN OF USE LEGAL DESCRIPTION FOR: IRRIGATION									
NE									
NW									
SW									
SE									
TOTAL ACRES									
159.0									
383.0									
28.0									
160.0									
320.0									
160.0									
538.0									
298.0									
278.0									
107.0									
91.0									
313.0									
117.0									
262.0									
512.0									
512.0									
264.0									
264.0									
139.0									
94.0									
4599.0									



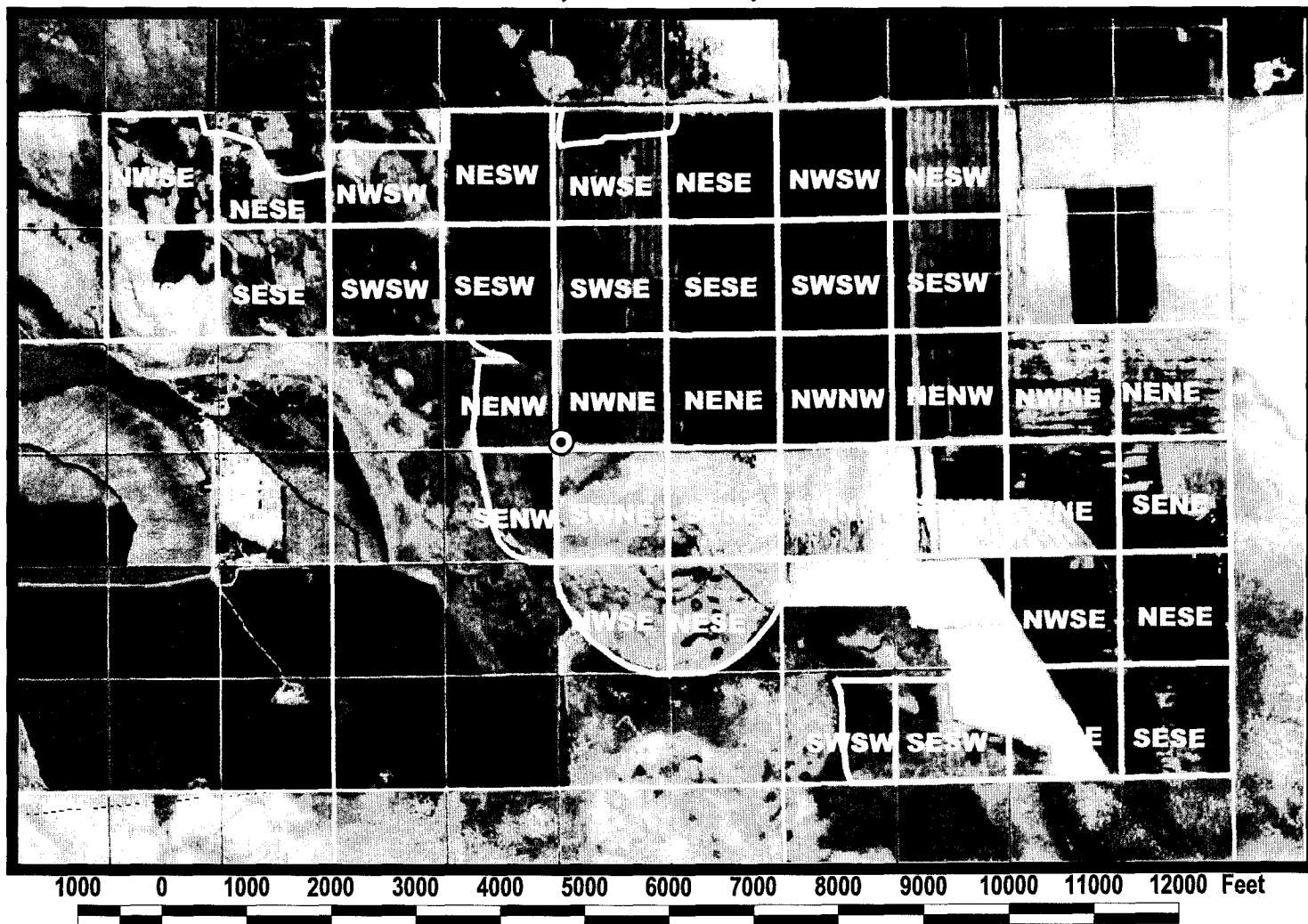
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri, Inc.

**Water Right(s): 33-07027, 33-02117A, 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00030,
33-00065, 33-00115, 33-10109**



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

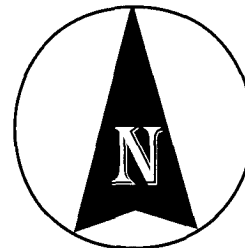
Place of Use

Section Line

Quarter-section line

**Place(s) of Use: T.5N., R.29E.
(parts of) Sec. 10, 11, 12, 13, 14**

**Point(s) of Diversion: T.5N., R.29E.
Sec. 4 SESESE (surface)
T.5N., R.29E. Sec. 14
SENEW (well)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00115, AND 33-00065. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1464 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-02117A, 33-07027, 33-10109, AND 33-10999

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 -

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-10999

11/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-30

NAME AND ADDRESS: PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE, ID 83244

SOURCE: SAWMILL CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.18 CFS

THE QUANTITY OF WATER THAT MAY BE DELIVERED AT THE POINT(S)
OF RE-DIVERSION DESCRIBED BELOW IS 0.14 CFS. THIS REDUCTION
IN QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A
CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T10N, R26E S12,
NESW.

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION:	T05N R29E S4	SESESE	Rediversion	Within BUTTE County
	T10N R27E S18	NWSESW	Injection	Within BUTTE County
	T11N R26E S10	NWNENE		Within LEMHI County

POINT OF REDIVERSION FROM LITTLE LOST RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.18 CFS

PLACE OF USE:

IRRIGATION Within BUTTE County

T05N R29E S10	NESE	23	T05N R29E S10	NWSE	40
T05N R29E S10	SWSE	40	T05N R29E S10	SESE	40
T05N R29E S11	NESW	40	T05N R29E S11	NWSW	28
T05N R29E S11	SWSW	40	T05N R29E S11	SESW	40
T05N R29E S11	NESE	40	T05N R29E S11	NWSE	31
T05N R29E S11	SWSE	40	T05N R29E S11	SESE	40
T05N R29E S12	NESW	40	T05N R29E S12	NWSW	40
T05N R29E S12	SWSW	40	T05N R29E S12	SESW	40
T05N R29E S13	NENE	40	T05N R29E S13	NWNE	40
T05N R29E S13	SWNE	40	T05N R29E S13	SENE	40
T05N R29E S13	NENW	40	T05N R29E S13	NWNW	40
T05N R29E S13	SWNW	40	T05N R29E S13	SENW	40
T05N R29E S13	NESW	32	T05N R29E S13	NWSW	16
T05N R29E S13	SWSW	17	T05N R29E S13	SESW	39
T05N R29E S13	NESE	40	T05N R29E S13	NWSE	40
T05N R29E S13	SWSE	40	T05N R29E S13	SESE	40
T05N R29E S14	NENE	40	T05N R29E S14	NWNE	40
T05N R29E S14	SWNE	40	T05N R29E S14	SENE	40
T05N R29E S14	NENW	28	T05N R29E S14	SENW	24
T05N R29E S14	NESE	34	T05N R29E S14	NWSE	32

1464 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00115, AND 33-00065. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1464 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-02117A, 33-07027, 33-10109, AND 33-10999

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00024, 33-00025, 33-00026C, 33-00027, 33-00028, 33-00029, 33-00065, 33-00115, 33-10999

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

OWNER CODE: C PANCHERI INC
NAME & ADDRESS: PANCHERI INC
PRIORITY DATE: 05/25/1891
WATER USE: IRRIGATION
USE PERIOD FROM TO: 04-01 11-01
DIVERSION RATE: 0.180 CFS
DIVERSION VOLUME: 0.180 CFS
TOTAL DIVERSION: 0.180 CFS

Water Source: SAWMILL CREEK
Tributary to: LITTLE LOST RIVER
Stage: DECREEED
LEMHI County
BUTTE County
BUTTE County

Place of use Legal Description for: IRRIGATION																																																								
NE										NW										SW										SE										SUM																
NENE					NWNE					SWNE					NENW					NWNW					SWNW					NENW					NWSW					SESW					NESE					SESE						
T		R		S		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac																				
05N	29E	10	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	143.0																	
05N	29E	11	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	299.0																		
05N	29E	12	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	160.0																		
05N	29E	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	584.0																		
05N	29E	14	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	278.0																		
																																				TOTAL ACRES		1464.0																		

POU County: BUTTE

Non-Irrigation Uses: STOCKWATER

Other Rights: SEE A33-00030

- Conditions of Approval:
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
 - C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
 - C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT THE QUANTITY OF WATER THAT MAY BE DELIVERED AT THE POINT(S) OF DIVERSION DESCRIBED BELOW IS 0.14 CFS. THIS REDUCTION IN QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO

AJ0749NP
No. R33-00030

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

DATE: 01/19/00
PAGE: 2

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00115, AND 33-00065.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 1464 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00024, 33-00025,
33-00026C, 33-00027, 33-00028, 33-00029, 33-00065,
33-00115, 33-02117A, 33-07027, 33-10109, 33-10999, AND 33-10999.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 33

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 02/09/1996 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
TRANS. #440.
CONFORMED ATTORNEY MAILING ADDRESS DMS

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit:

01/19/00 BCNTOR

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: A33-00030
Date Received: 1/11/1990
Receipt No: E011683
Received By: _____

Original

Sent to

Court.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

4-20-00

1. Name: PANCHERI, INC. 208-767-3419
Address: C/O JERRY PANCHERI, PRES
HOWE, ID 83244

2. Date of Priority: MAY 25, 1891

3. Source: SAWMILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	29E	4		SE	SE		BUTTE
06N	29E	30		SW	NW		BUTTE
		32		NW	NW		BUTTE
09N	27E	5		NW	NE		BUTTE
		33		NW	NE		BUTTE

5. Description of diverting works:
DIVERS. DAMS AND WOOD HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

A33-00030

Page 1

Date: 03/01/90

MICROFILMED
NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05N	29E	3	NW	NE		IRR	39.0	
			SW	NE		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	40.0	
		Section Acres						159.0
		4	NE	NE		IRR	40.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NW	NW		IRR	38.0	
			SE	NW		IRR	30.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	35.0	
			SE	SE		IRR	40.0	
			Section Acres					
5	NE		NE		IRR	28.0		
	Section Acres						28.0	
10	NE	SE		IRR	40.0			
	NW	SE		IRR	40.0			
	SW	SE		IRR	40.0			
	SE	SE		IRR	40.0			
Section Acres						160.0		
11	NE	SW		IRR	40.0			
	NW	SW		IRR	40.0			
	SW	SW		IRR	40.0			
	SE	SW		IRR	40.0			
	NE	SE		IRR	40.0			
	NW	SE		IRR	40.0			
	SW	SE		IRR	40.0			
	SE	SE		IRR	40.0			
Section Acres						320.0		
12	NE	SW		IRR	40.0			
	NW	SW		IRR	40.0			
	SW	SW		IRR	40.0			
	SE	SW		IRR	40.0			
Section Acres						160.0		

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
05N	29E	13	NE		NE		IRR	40.0			
			NW		NE		IRR	40.0			
			SW		NE		IRR	40.0			
			SE		NE		IRR	39.0			
			NE		NW		IRR	40.0			
			NW		NW		IRR	40.0			
			SW		NW		IRR	40.0			
			SE		NW		IRR	40.0			
			NE		SW		IRR	40.0			
			NW		SW		IRR	40.0			
			SW		SW		IRR	40.0			
			SE		SW		IRR	40.0			
			NE		SE		IRR	39.0			
			NW		SE		IRR	40.0			
			SW		SE		IRR	40.0			
			SE		SE		IRR	40.0			
			Section Acres								638.0
			06N	29E	14	NE		NE		IRR	40.0
						NW		NE		IRR	40.0
						SW		NE		IRR	37.0
SE		NE					IRR	40.0			
NE		NW					IRR	40.0			
SE		NW					IRR	40.0			
SE		SW					IRR	30.0			
SE		SE					IRR	31.0			
Section Acres								298.0			
29	NE				SW		IRR	40.0			
	SW				SW		IRR	38.0			
	SE				SW		IRR	40.0			
	NE				SE		IRR	40.0			
	NW				SE		IRR	40.0			
	SW				SE		IRR	40.0			
	SE				SE		IRR	40.0			
	Section Acres								278.0		
30	SE		SW		IRR	27.0					
	SW		SE		IRR	40.0					
	SE		SE		IRR	40.0					
Section Acres								107.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	31	NE		NE		IRR	33.0
			NW		NE		IRR	40.0
			NE		NW		IRR	18.0
							Section Acres	91.0
		32	SW		NE		IRR	39.0
			NE		NW		IRR	35.0
			NW		NW		IRR	37.0
			SW		NW		IRR	10.0
			SE		NW		IRR	38.0
			NE		SW		IRR	14.0
			NE		SE		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	39.0
			SE		SE		IRR	26.0
							Section Acres	313.0
		34	SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			SW		SE		IRR	40.0
							Section Acres	117.0
08N	27E	3	NW		NE		IRR	24.0
			SW		NE		IRR	15.0
			NE		NW		IRR	35.0
			NW		NW		IRR	14.0
			SW		NW		IRR	2.0
			SE		NW		IRR	40.0
			NE		SW		IRR	35.0
			SE		SW		IRR	32.0
			NW		SE		IRR	25.0
			SW		SE		IRR	40.0
							Section Acres	262.0
09N	27E	9	NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NW		SW		IRR	39.0

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	312.0
		16	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	312.0
		21	NE	NW		IRR	33.0
			NW	NW		IRR	33.0
			SW	NW		IRR	33.0
			SE	NW		IRR	33.0
			NE	SW		IRR	33.0
			NW	SW		IRR	33.0
			SW	SW		IRR	33.0
			SE	SW		IRR	33.0
						Section Acres	264.0
		28	NE	NW		IRR	33.0
			NW	NW		IRR	33.0
			SW	NW		IRR	33.0
			SE	NW		IRR	33.0
			NE	SW		IRR	33.0
			NW	SW		IRR	33.0
			SW	SW		IRR	33.0
			SE	SW		IRR	33.0
						Section Acres	264.0
		33	NW	NE		IRR	18.0
			SW	NE		IRR	25.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	9.0
			SE	SE		IRR	7.0
						Section Acres	139.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	27E	34	NE		SW		IRR	6.0
			NW		SW		IRR	8.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
			SW		SE		IRR	5.0

Section Acres 94.0

Total Acres 4699.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
SEE A33-00030

14. Remarks:
TRANS. #440.

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

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 039576

Ident. Number A33-0030Date Received 1/11/90Receipt Number E011683

A3300030

RECEIVED

JAN 11 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Eastern District Office1. Name of Claimant(s) Pancheri, Inc. Phone (208) 767-3419
% Jerry Pancheri, PresidentMailing Address Howe, Idaho Zip 832442. Date of Priority (Only (1) per claim) May 25, 18913. Source of water supply (a) Saw Mill Creekwhich is tributary to (b) Little Lost River

4.a. Location of existing

point of diversion is: Township 5N. Range 29E. Section 4 ,1/4 of SE 1/4 of SE, Govt. Lot, B.M., County of ButteAdditional points of diversion if any: T.6N, R.29E, S.30, SW1/4 NW1/4;
T.6N, R.29E, S.32, NW1/4 NW1/4; T.9N, R.27E, S.5, NW1/4 NE1/4, T.9N, R.27E,
S.33, NW1/4 NE1/4

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4 Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Diversion dams and wooden headgates.Original
Sent to
Court.
4-20-00

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6. Water is claimed for the following purposes:

(Both dates are inclusive)

(cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 1.0 or _____
(and incidental stock watering)
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is See attached list of water rights acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Incidental stock watering.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:	TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:
5N:29E:	3: ' 39' 40'	:	' ' ' ' 40'	:	' 40' 40'	:	' ' ' ' 40'	:	:159
:	: 4: 40' 40' 40' 40:	:	' 38' ' 30:	:	' ' ' ' 40'	:	40' 40' 35' 40:	:	383
:	: 5: 28' ' ' ' 40:	:	' ' ' ' 40:	:	' ' ' ' 40:	:	' ' ' ' 40:	:	28
:	: 10: ' ' ' ' 40:	:	' ' ' ' 40:	:	' ' ' ' 40:	:	40' 40' 40' 40:	:	160
:	: 11: ' ' ' ' 40:	:	' ' ' ' 40:	:	40' 40' 40' 40:	:	40' 40' 40' 40:	:	320
:	: 12: ' ' ' ' 40:	:	' ' ' ' 40:	:	40' 40' 40' 40:	:	' ' ' ' 40:	:	160
:	: 13: 40' 40' 40' 39:	:	40' 40' 40' 40:	:	40' 40' 40' 40:	:	39' 40' 40' 40:	:	638
:	: 14: 40' 40' 37' 40:	:	40' ' ' ' 40:	:	' ' ' ' 30:	:	' ' ' ' 31:	:	298
6N:29E:	29: ' ' ' ' 40:	:	' ' ' ' 40:	:	40' ' 38' 40:	:	40' 40' 40' 40:	:	278
:	: 30: ' ' ' ' 40:	:	' ' ' ' 40:	:	' ' ' ' 27:	:	' 40' 40' 40:	:	107
:	: 31: 33' 40' ' ' 40:	:	18' ' ' ' 40:	:	' ' ' ' 40:	:	' 35' 39' 26:	:	313
:	: 32: ' ' 39' ' 35' 37' 10' 38:	:	14' ' ' ' 40:	:	' 38' 39:	:	' 40'	:	117
:	: 34: ' ' ' ' 40:	:	' ' ' ' 40:	:	' 38' 39:	:	' 40'	:	117
8N:27E:	3: ' 24' 15' ' 35' 14' 2' 40:	:	35' ' 32:	:	' 25' 40'	:		:	262
9N:27E:	9: ' ' ' ' 39' 39' 39' 39:	:	39' 39' 39' 39:	:	39' 39' 39' 39:	:	' ' ' ' 312	:	312
:	: 16: ' ' ' ' 39' 39' 39' 39:	:	39' 39' 39' 39:	:	39' 39' 39' 39:	:	' ' ' ' 312	:	312
:	: 21: ' ' ' ' 33' 33' 33' 33:	:	33' 33' 33' 33:	:	33' 33' 33' 33:	:	' ' ' ' 264	:	264
:	: 28: ' ' ' ' 33' 33' 33' 33:	:	33' 33' 33' 33:	:	33' 33' 33' 33:	:	' ' ' ' 264	:	264
:	: 33: ' 18' 25' ' 40' ' ' 40:	:	' ' ' ' 9'	:	' ' ' ' 7:	:		:	139
:	: 34: ' ' ' ' 40:	:	' ' ' ' 6' 8' 40' 35:	:	' ' ' ' 5'	:		:	94

Total number of acres irrigated 4699

11. In which county(ies) are lands listed above as place of use located?
Butte

Last Name Pancheri, Inc. Ident. Number 33-0030

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12. Do you own the property listed above as place of use? Yes X No
If your answer is describe in Remarks below the authority you have
to claim this water right.

13. Describe any other water rights used at the same place and for the same
purposes as described above.
See attached list of water rights. or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice
Permit Decree X License

If applicable provide IDWR Water Right Number 33-0030
Court Sixth District for Butte County Case Number Decree
Date March 4, 1927 Plaintiff vs Defendant The Blaine County Invest. Co. v.
Robert G. Mays, et al.

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 3

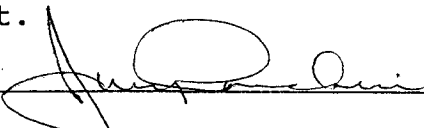
For Individuals: I do solemnly swear or affirm that the statements
contained in the foregoing document are true and correct.

Signature of Claimant(s) Date
 Date

For Organizations: I do solemnly swear or affirm that I
am President of Pancheri, Inc., that I have signed the
Title Organization

foregoing document in the space below as President
Title
of said corporation and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent 
Title and Organization President, Pancheri, Inc. Date 1/8/90

Last Name Pancheri, Inc. Ident. Number 33-0030

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State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8TH day
of January, 1990.

Notary Public *Kent W. Foster*
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as
attorney at law on behalf of the claimant signing above, and that all
notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature *Kent W. Foster*
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 01/11/90

Last Name Pancheri, Inc. Ident. Number 33-0030

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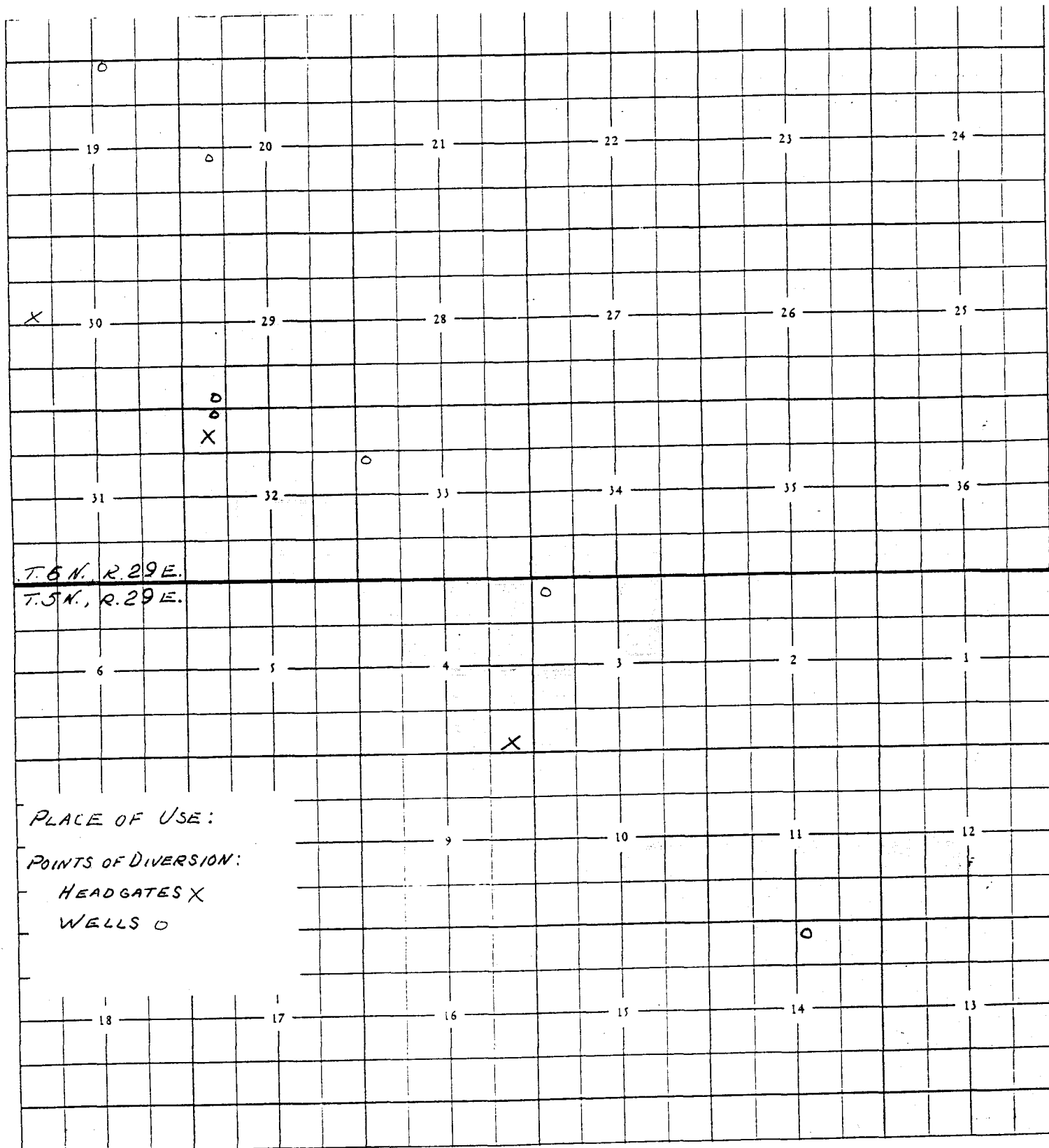
LIST OF ALL WATER RIGHTS APPURTENANT
TO TOTAL 4699 ACRES INCLUDED WITHIN THE LAND LIST

<u>RIGHT #</u>	<u>RIGHT #</u>
33-2014	33-0029
33-2056	33-0030
33-2065	33-0031
33-2066	33-0032
33-2093	33-0033
33-2108	33-0034
33-2113	33-0035
33-2117	33-0036
33-2126	33-0039
33-7015	33-0040
33-7027	33-0041
33-? (expansion of groundwater licenses under Idaho Code §42-1416(2))	33-0042
33-0002	33-0043
33-0003	33-0044
33-0004	33-0045
33-0005	33-0046
33-0006	33-0047
33-0007	33-0065
33-0008	33-0068
33-0009	33-0083
33-0010	33-0084
33-0011	33-0085
33-0012	33-0087
33-0013	33-0088
33-0024	33-0090
33-0025	33-0092
33-0026	33-0108
33-0027	33-0109
33-0028	33-0110
	33-0115

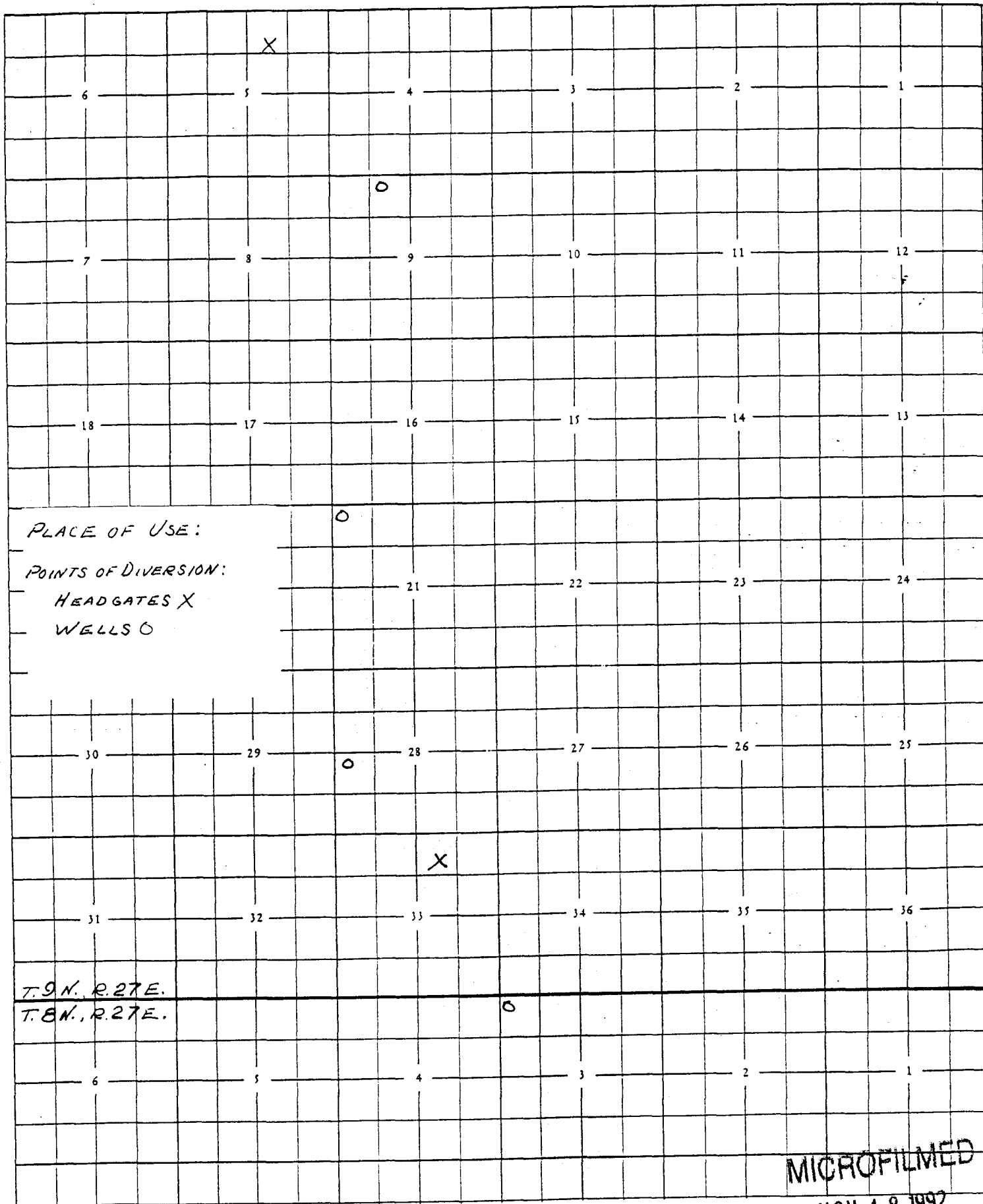
The consumptive use claimed for the combination of all the above listed rights for the irrigation of the total 4699 acres is 16,446.5 acre feet per annum.

5676h/srr

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