



Photo 1. TAKEN FROM THE LITTLE LOST RIVER HIGHWAY AT THE BADGER CREEK CULVERT. THIS IS THE POINT OF DIVERSION FROM BADGER CR. AN EXCHANGE DIVERSION FROM THE LITTLE LOST RIVER IS ALSO USED (SEE PHOTO 4 THIS SET) USE OF BADGER CREEK WATER IS EXCHANGED FOR LITTLE LOST RIVER RIGHT 33-00032 (CLAIMED AS: A33-00032A).



Photo 2. OLD UNSETTLEABLE FLUME CROSSING LITTLE LOST RIVER (HIDDEN IN UNDERGROWTH - FLOWING RIGHT TO LEFT). THIS FLUME CARRIED BADGER CREEK AND/OR LITTLE LOST RIVER EXCHANGE WATER TO THE WEST SIDE OF LITTLE LOST RIVER. SEE DEER CREEK CLAIM A33-10119. NO LONGER USED.



Photo 3. SHOWS THE OLD DITCH AND CULVERT SECTIONS WHICH ONCE CONVEYED BADGER CREEK WATER (A LITTLE LOST RIVER EXCHANGE WATER) TO THE AREA NOW CLAIMED AS SERVICED BY DEER CREEK WATER. SEE A33-10119.

PANCHERI INC.
33-00035A

Photos taken

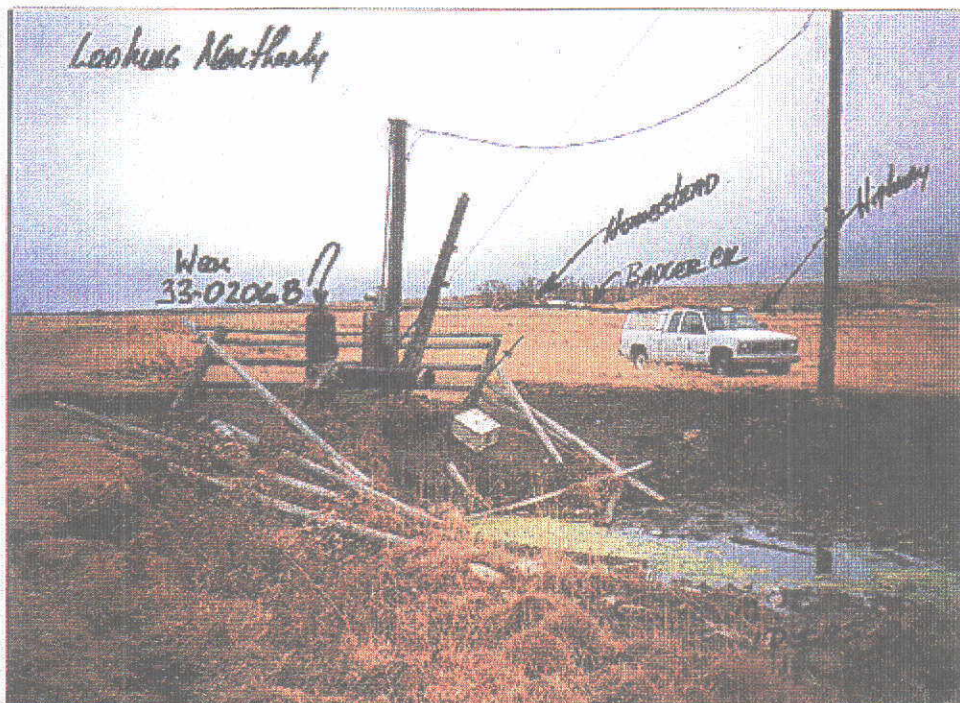


Photo 1. Well ^A33-02068, AS OF
12 DEC. 95 NO ADJUDICATION CLAIM
HAS BEEN FILED. PANCHERI AND
K. FOSTER (ATTORNEY) HAVE BEEN IN-
FORMED. **FILED 8 JAN 96.**

THIS WELL WHEN DISCHARGES TO
DITCH THEN FLOWS THROUGH THE
PARSHALL FLUME (IN PHOTO 3) THEN
ON INTO LITTLE Lost RIVER (SEE
PHOTOS 4 AND 5).



Photo 2. Looking South
DOWN THE DITCH TO RIVER.

MOTOR: GE 30 HP
SN: XGJ6874210

PUMP: FAIRBANKS-MORSE
H6H 100A
10" OPEN DISCH.

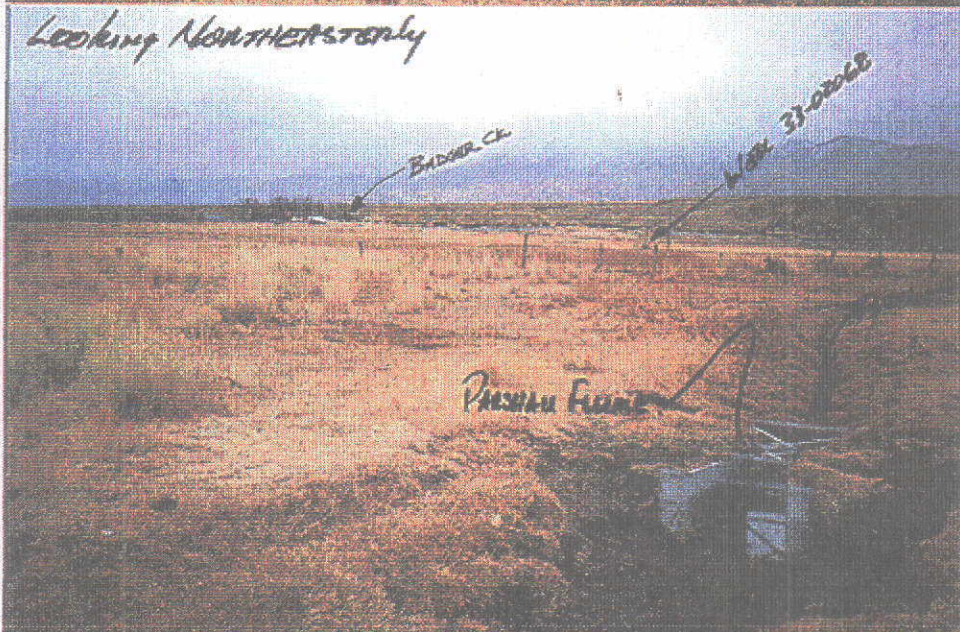


Photo 3. PARSHALL FLUME WHICH
MEASURES WELL OUTPUT. FLUME
APPEARS LEVEL AND IN GOOD CONDITION.

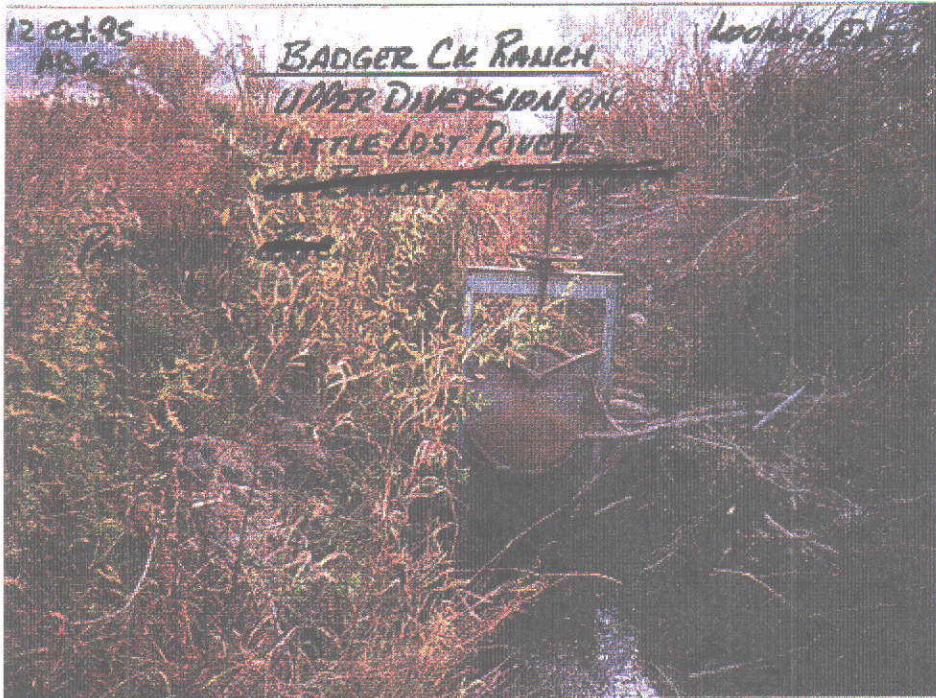
PANCHERI'S BROOKER CREEK RANCH

33-02068
WELL NON-ADJUDICATED

12 Oct 95
ABR

BADGER CK RANCH
UPPER DIVERSION ON
LITTLE LOST RIVER

Looking East



Looking Northwestern



Photo 4. Shows Little Lost River
~~Exchange~~ DIVERSION FOR THE
~~BADGER CREEK~~ DECEASED RIGHT.
Little Lost

Photo 5. Shows PLACE OF USE
OF BADGER CREEK AND LLR
EXCHANGE WATER.

THIS AREA IS ON THE NORTH
SIDE OF BADGER CREEK.

Also for Lic. 33-02068.

PANCHERI INC.
33-00035A

Photos Taken: 12 Oct 95 ABR

Little Lost River 33A
DIVERSION A33-00032A

NO IRRIGATION
TO THESE FIELDS

A33-00033A
CLAIM NO(S) A33-00035A, 00032A
DATE: 12 Oct 95 T 9N. R 27E
SOURCE OF DOC: ASCS

SIGNATURE: *[Signature]*

OLD FLUME CROSSING LITTLE
LOST RIVER UNSERVICABLE

DITCH UNSERVICABLE
AT THIS LOCATION

STATE LAND

NESW SEC 34
STATE OF IDAHO

ADDER CREEK
INT OF DIVERSION

BADGER CREEK

DEER CREEK

T. 9N.
T. 8N.

33 34
4 3

LOT 4
37.14

LOT 3
38.20

LOT 2
38.20

LOT 1
39.20

PAST
23.2

POINT OF DIVERSION
WELL 33-0206B

PAST
25.0

PAST
16.4

PARSHALL FLUME

POINT OF INJECTION

LEGEND

- 23 ACREAGE (Dot Count) ACTUAL
- PARCELS AS DECREED (No Ac.)
- CLAIMED, NOT IRRIGATED

4 3
9 10



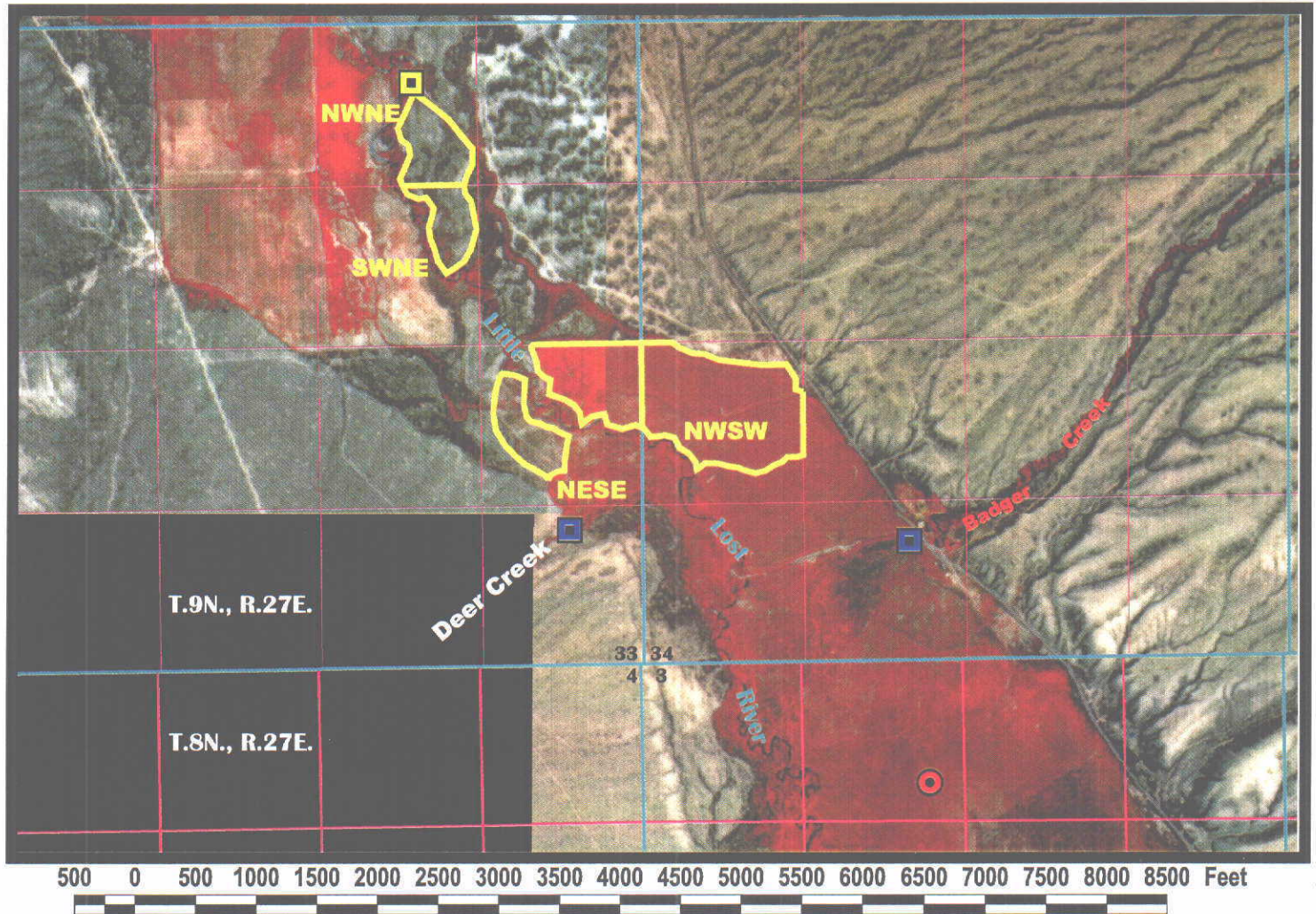
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00032A, 33-00033A



LEGEND



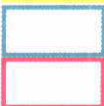
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



Quarter-section line

**Place(s) of Use: T.9N., R.27E.
Sec. 33 (parts of) W2NE, NESE,
Sec. 34 (part of) NWSW**

**Point(s) of Diversion: T.9N., R.27E.
Sec. 33 NENWNE**



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

28 27
33 34

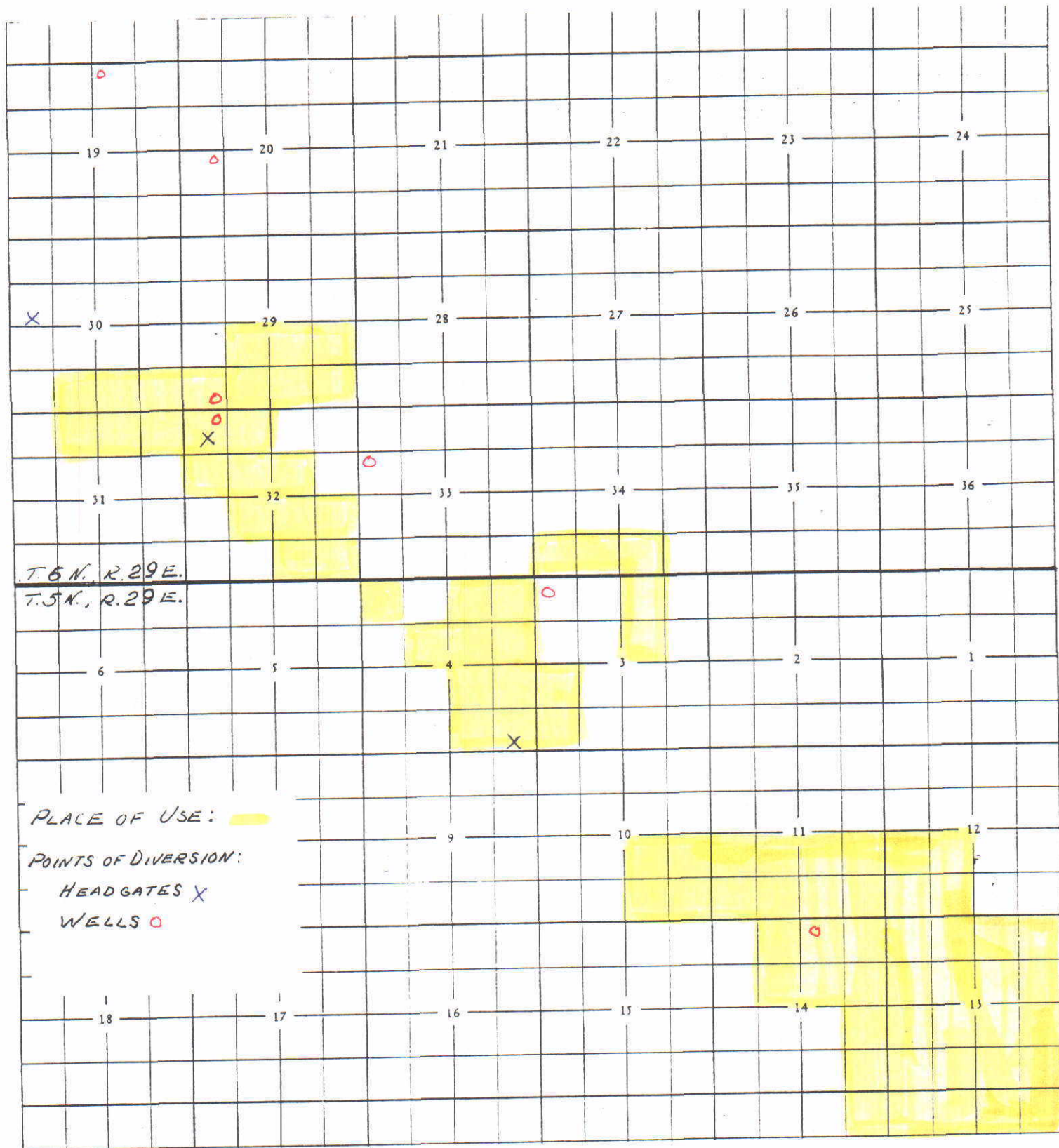
□
NWNE
7
6
SWNE

Paneheri, Inc. Badger Creek Ranch

NESE
17
NWSW
25

□
33 34
4 3





MICROFILMED
NOV 18 1992

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

Case No. 39576

Subcase(s): 33-00024 et al

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 11 am

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

Deputy Clerk
Deputy Clerk

(R)

A33-00032A

PANCHERI, INC.

% JERRY PANCHERI, PRES.

HOWE

ID 83244



A3300032A

Little Lost Ranch

Brookside Ranch

Do With A33-02068 and A33-00035A

Library copies @ 2.00 each - NO

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: 33-00032A

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 Pamel
Please print your name: _____

To: Files A33-00032A, A33-00033A
Fr: Bryce A. Contor
Date: 12/1/1999

Re: Recommendations

Al Ruberry has done the investigation on these water rights, I am helping out by finishing up the coding. Al indicated that while the claimants desire to use these rights in various exchanges with Badger Creek rights (33-00035A) and well rights (33-02068A), physical characteristics of the system indicate that they should be recommended "straight" on the place of use found in GIS analysis of 1987 NAPP photos. Al notes that claimant will need to file a number of transfers to take care of post-1987 changes or proposed changes. Therefore my intent is to recommend a reasonable description of 1987 use, as a basis for post-adjudication transfers.

Priority Dates:

Recommend as decreed.

Diversion Rate:

Al notes in CVR for 32-00032A to recommend 2.14 cfs as claimed, based on an analysis which included a 131 acre Permissible Place of Use as combined with the Badger Creek and well rights. The current recommendation is for only 55 acres, but this water has been historically utilized in wild flooding on gravelly lands. Without performing a Worstell analysis, I feel comfortable in recommending the 2.14 cfs claimed, or about 0.039 cfs/acre. Note that proximity of POU to the river, the shallow water table in this area, and the fact that this POU is upstream of the Knollin area where the river gains significantly, strongly indicate that any excess diversion rate will quickly return to source and therefore the higher recommended rate will not cause injury.

Analysis for 32-00033A also appears to have been done on the 131 acre PPU basis. The claim is for 2.5 cfs. Calculating 55 acres X 0.04 = 2.2 cfs, I recommend 2.2 cfs pending a complete Worstell analysis.

Because these two water rights are recommended for the same place of use, I recommend a QNT remark limiting combined diversion rate to 2.2 cfs.

Place of Use:

Recommended per Al Ruberry's GIS analysis, maps in files. 100% overlap, so POU1 remark used.

Conditions:

C03 and C05 coded per notes on CVRs, without further review. Possibly these codes related to the 131 acre PPU with the other rights and are not appropriate as currently recommended. This may need to be addressed in the NOE process.

Sesaon of Use:

Per decree.

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

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KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
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DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
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P.O. BOX 50130
330 SHOUP AVENUE
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 810
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

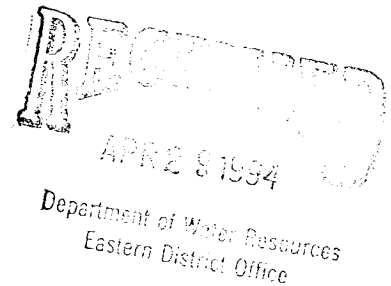
BOISE OFFICE

TODD J. WILCOX
FREDERICK J. HAHN III
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

April 28, 1994

Mr. Dave Carlson
Water Right Agent, Adjudications
IDAHO DEPARTMENT OF
WATER RESOURCES
900 N. Skyline
Idaho Falls, Idaho 83402-1718



RE: SRBA Claim No. A33-10119 Pancheri, Inc.

Dear Mr. Carlson:

You wrote to our client, Pancheri, Inc., on February 14, 1994, requesting evidence of priority for SRBA Claim No. A33-10119. Mr. Pancheri has investigated this matter and has discovered some interesting information, but the matter needs additional work.

We will try to explain what has been learned and then we will be attempting to obtain more information. Pancheri, Inc. bought the land from Hartmann Land and Livestock in 1989, and used the Deer Creek water in the existing ditch system on the west side of Little Lost River in the manner they were told it had always been used that summer and in 1990. In 1991, Harold Jones and Charles Mullins came to the place and ordered Pancheri to stop using Deer Creek water.

*THIS WAS OUR POND
THAT HAD BEEN MADE w/o
PERMIT OF PERMITS*

Mr. Pancheri has been unable to obtain much information from Mr. Hartmann. He was however able to talk recently to a former foreman for Hartmann Land and Livestock who irrigated the property from 1978 through 1983. His name is Eugene Van Wagner, and his affidavit is enclosed.

As Mr. Pancheri understands the prior use made and observed by Van Wagner, Deer Creek water was used physically, and through exchange, on both sides of the river and Badger Creek water was used in the same way. The old flume, by means of which water could be taken across the river in either direction is still there. It has the appearance of having been there a long time.

EXCERPT FROM: Tim Luke, Little Lost River
Water Distribution, May 19,
1993. Photo section

DATE: 4/20/93

STREAM: Little Lost River

DIVERSION NAME: Pancheri, Inc. Badger Creek Water Right Diversion
from Little Lost River

POINT OF DIVERSION: T9N R27E Sec. 33, NWNE

ACCESS: Vehicle - from Little Lost River Rd., turn west on dirt
road about 0.4 mi. past bridge over Badger Creek, follow dirt road
along ditch, may cross fence and walk short distance to head gate.

USGS MAP: Badger Creek V83
(name) (number)

WATERMASTER CONTROL: X YES NO

DIVERSION DESCRIPTION: A 24 inch diameter corrugated metal pipe
with sliding steel gate and hand wheel in metal frame over pipe
controls flow from river thru pipe and to ditch.

MEASUREMENT: None. Recommend placing weir, such as rectangular or
v-notch, in ditch shortly below headgate. .

CURRENT WATER RIGHTS: Right no. 33-0032 is only right which
should be delivered at this diversion and Pancheri diversion from
Badger Creek. This right was originally decreed from Little Lost
River. See attached water rights list for further information.
Total rate of diversion at both locations can not exceed rate of
diversion under right 33-0032. Watermaster states that Pancheri's
river diversion is seldomly used.

*WHEN USED, WELL (A) 33-0206B IS USED AS AN EXCHANGE SOURCE THROUGH THE
LITTLE LOST RIVER DIVERSION.*

*LITTLE LOST RIVER RIGHT (A) 33-00032(A) IS ALSO DIVERTED AT THE
BADGER CREEK POINT OF DIVERSION - ALSO AS AN EXCHANGE.*

DATE: 4/20/93

STREAM: Badger Creek (*RIGHT Priority, Date: 6 March 1909; AS 33-00035, CLAIMED AS 33-00035A*)

DIVERSION NAME: Pancheri, Inc. Badger Creek Diversion

POINT OF DIVERSION: T9N R27E Sec. 34, NESESW

ACCESS: Vehicle - Little Lost River Rd. bridge over Badger Creek.

USGS MAP: Badger Creek V83
(name) (number)

WATERMASTER CONTROL: Partial YES _____ NO

DIVERSION DESCRIPTION: A concrete bulkhead in stream channel, although deteriorated, can be fitted with boards or stoplogs to divert water into either a north and/or south ditch. The north ditch which the watermaster states is more frequently used, is fitted with a wooden control gate. The south ditch lacks specific and permanent control.

MEASUREMENT: At time of inspection, both the north and south ditches had small cipolletti weirs. The north weir was inadequate and required replacement. The south ditch weir required maintenance including resetting for level and free flow conditions, removing of silt and debris behind weir, installation of better weir blade and raising of weir blade. In addition to weirs, an 18 inch Parshall flume was installed in creek channel just above concrete bulkhead. Gravelly nature of creek and fluctuation of flows makes this a poor measuring site. During additional visits to site, the flume contained silted and gravel, and exhibited considerable leakage around sides. Flume or other measuring device in creek is not necessary as long as both ditches are fitted with adequate measuring devices.

CURRENT WATER RIGHTS: Right no. 33-0032³³⁰⁰³² is only right delivered at this diversion. This right was originally decreed from Little Lost River. See attached water rights list for further information. Note: Pancheri owns a second diversion from Little Lost River where all or a portion of this right can be diverted. Total rate of diversion at both locations can not exceed right 33-0032. Watermaster states that this latter diversion is not frequently used. *As both only AND 33-00035 IN BADGER CR. POINT.*

COMMENTS: This right was decreed from the Little Lost River for 4.80 cfs but since sometime prior to 1987 has been diverted from both the Little Lost River and Badger Creek. It is not immediately clear from water right records where on the Little Lost River this right was originally diverted, although decreed owners of right also had a 1907 Badger Creek right and some lands near Badger Creek, as well as some rights and lands near Howe. A 25% loss is charged in delivery of this right. No change is recommended in delivery of this right.

33-00032B IS HELD BY LEO Amy. APPURTENANT TO LANDS AT T.5N., R.29E, SEC. 2 N2S2, SEC. 3. E2E2 WITH LITTLE LOST AS SOURCE,

NO!

PAGE 5

3) Pancheri, Inc. Badger Creek Exchange Well

There are two groundwater rights which identify the Badger Creek Pancheri well but neither of these rights recognize or authorize any injection of groundwater into the river for re-diversion downstream. The earlier right is 33-2068 and has a 1/14/1953 priority and a licensed diversion rate of 4.85 cfs. The latter right is 33-7198 which has a 12/18/1990 priority for 8.80 cfs (this right also includes a second point of diversion or well). The place of use under both rights is in the Badger Creek area and do not include lands downstream near Howe. IDWR assumes at this time that the use of the 1953 priority right and well was used as an exchange source prior to 1963. IDWR thus recommends that the 1953 well can still be used as an exchange well and the groundwater diverted downstream. The amount of water injected into the river however should be limited to the licensed diversion rate under the 1953 right, which is 4.85 cfs. The exchange water should be charged the actual reach loss or losses downstream to the point of

PAGE 6

re-diversion.

EXCERPT FROM: Tim Luke, Little Lost River Water Distribution,
May 19, 1993. Addendum IDWR ADMIN. NO. OR SRBA
CLAIM NO. ... 1879 RIGHTS. Pages 5 & 6. 84

LITTLE LOST RIVER IAN & LIVESTOCK COMPANY, a corporation,
 CHARLES HOLLAND and ELLEN HOLLAND, husband and wife,
 CLARENCE HOLLAND and MABEL HOLLAND, husband and wife:

From Little Lost River: 560 inches, September 1, 1879; 3370031²⁴
 240 inches, June 1, 1891; 3360032
 280 inches, June 1, 1905; 3370033
 From Spring Creek: 150 inches, May 1, 1880; 3360034¹¹⁶
 From Badger Creek: 80 inches, March 6, 1907; 3320035

Points of diversion:

From Little Lost River: 35° 7' - T. 5N., R. 29E. - Sec. 11, No 607

From Spring Creek:

From Badger Creek:

to be used upon and appurtenant to:

BEFORE ANY TRANSFERS
 AS: N², S² SEC. 2 T. 5N., R. 29E.
 E²NE, E²SE SEC. 3
 Lots 2, 3 & 4, SE⁴, S²NW¹, S²NE, N²SW SEC. 3
 SWSW SEC. 2 T. 5N., R. 27E.
 NWNW SEC. 11
 S²SW, W²SW SEC. 34 T. 9N., R. 27E.

The North half (N¹/₂) of Section Two (2), the East half of the Northeast Quarter (E¹/₂NE¹/₄) of Section Three (3), Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; also the South half (S¹/₂) of Section Two (2), and the East half of the Southeast Quarter (E¹/₂SE¹/₄) of Section Three (3), Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; also Lots Two (2), Three (3), Four (4) and the Southeast Quarter (SE¹/₄) and South half of the Northwest quarter (S¹/₂NW¹/₄), the South half of the Northeast Quarter (S¹/₂NE¹/₄) the Northeast Quarter of the Southwest Quarter (NE¹/₄SW¹/₄) of Section Three (3), and the Southwest Quarter of the Southwest Quarter (SW¹/₄SW¹/₄) of Section Two (2), and the Northwest Quarter of the Northwest Quarter (NW¹/₄NW¹/₄) of Section Eleven (11), Township Eight (8) North of Range

Twenty-seven (27) East of the Boise Meridian, and the Southeast Quarter of the Southwest Quarter (SE¹/₄SW¹/₄), the West half of the Southwest Quarter (W¹/₂SW¹/₄) of Section Thirty-four (34), Township Nine (9) North of Range Twenty-seven (27), East of the Boise Meridian.

EXCERPT FROM: PAGES 10 111 OF THE BLAINE CO.
 INVESTMENT vs R.G. MAYS DECREE
 4 MARCH 1927.

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. C. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER

LAW OFFICES
HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620
AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)
ROBERT S. HOLDEN (1911-1971)

August 8, 1975

RECEIVED

AUG 12 1975

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Re: Application for Transfer of Water Right
(Change of Place of Use)

Attention: Loren O. Holmes

Dear Mr. Holmes:

We are returning an Application for Transfer of Water Right which has now been modified and additional information gathered. The following documents are enclosed herewith:

1. Application
2. Photocopy of old decree on Warm Springs Creek (This is a copy which I had my secretary type from microfilm cards, because the microfilm copier did not provide us with a readable copy)
3. Letter from Lost River Title Company.
4. Copy of Deed to Jack Mays and wife.
5. Copy of Warranty Deed, instrument No. 10141
6. Copy of Contract dated May 21, 1926.
7. Copy of Warranty Deed, instrument No. 19199
8. Copy of Warranty Deed, instrument No. 21530
9. Copy of Quit Claim Deed, instrument No. 4213
10. Check in the amount of \$30.00 for filing fee
11. Your Transfer Analysis Sheet.

As we indicated, when we first filed this Application, the water in question had been used on land different from that to which it was originally decreed since about 1926.

ESTABLISHED 000340
ALSO SENT 7.18.52

Dept. of Water Resources
August 8, 1975
Page Two

The applicants are not seeking to transfer water from land where it is presently being used to other lands. They seek only to make a record which clearly shows that the place of use was changed nearly 50 years ago. Mr. Jack Mays and the Trustee, Mrs. Peggy Gray, are brother and sister, and they, as well as other members of the family, have personal knowledge that the water has been used at the present location since their father purchased the property in 1926.

We have been able to trace some of the transactions involving this water right. The decree entered in the case of Edwin R. Hawley vs. D. B. Hawley, which was filed June 11, 1906, decreed 150 cubic inches per second of the waters of Warm Spring Creek with a priority date of June 1, 1880, to a 640 acre tract of land described as the West half of the East half and the West half of Section 2, and the East half of the East half of Section 3, Township 5 No., Range 29 E.B.M. At the time of the entry of the decree, this 640 acres was all owned by Mr. Edwin R. Hawley. There appear to have been other water rights also appurtenant to this 640 acre tract of land. This tract, together with all of the various water rights, was transferred in one complete unit for the last time on February 22, 1926. As you can see, from the copy of the Warranty Deed No. 10141, this was a transaction between Little Lost River Land and Stock Company and the Alliance Trust Company, Limited. On May 21, 1926, the Alliance Trust Company, Limited, sold 120 acres of the 640 acre tract to Mr. Harry Mays, the father of Jack Mays and Peggy Gray. At that time, as well as dividing the original tract, the Alliance Trust Company apparently divided the water rights. It transferred 115 cubic inches of the original 150 inch decree with this particular 120 acre tract to Mr. Mays. We have enclosed a copy of the contract showing this transfer and the deed which was not recorded until October 26, 1939, probably after the contract had been paid. The balance of the decreed water right on Warm Springs Creek. 35 inches was transferred to Mr. G.G. Harrell, together with another 40 acres of the original 640 acre tract. A copy of the deed evidencing that transfer is also enclosed.

The 150 inches of water acquired by Mr. Harry Mays with the purchase of this 120 acres was never used on that

Dept. of Water Resources
August 8, 1975
Page Three

property by Harry Mays. In fact, he acquired it for the specific purpose of using it on other lands. Mr. Mays began using the Warm Springs Creek water on another 320 acres which he owned during the same year as the purchase, 1926.

In 1968, just prior to his death, Mr. Harry Mays and his wife, Ada Marie Mays, transferred all of their real property into two trusts. These trusts are known as the Harry H. Mays Trust, dated April 10, 1968, and the Ada Marie Mays Trust, dated April 10, 1968. Mrs. Peggy Anne Gray is now the Trustee of both trusts. The 320 acres where the water has been used, since 1926, and which is described as the Northwest Quarter (NW $\frac{1}{4}$) of Section 29, and the Southeast Quarter (SE $\frac{1}{4}$) of Section 19, in Township 6 N., Range 29 East, was all transferred to Jack Mays by warranty deed, dated May 31, 1974, except for a corner of the property consisting of approximately 24 acres, which lies on the other side of the highway from the bulk of the property, and is the land where the home of Mrs. Ada Marie Mays is still located. This approximately 24 acres was reserved by the trust as a home for Mrs. Ada Marie Mays during her lifetime, and it was intended that a proportionate amount of the 115 inches of Warm Spring Creek water would remain with the 24 acres. This has been understood to be 9 inches; but since the warranty deed did not spell it out, we have had a Quit Claim Deed recorded, which specifies that of the 115 inches, only 106 inches was intended to be conveyed to Jack Mays with the property which he now owns.

It appears to us, that there is no need to obtain approval for this transfer from the present owners of the land to which the water was originally decreed, since their predecessors in title transferred the water many years ago.

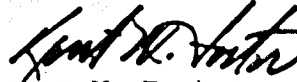
We have also modified the Application so that there are now two applicants seeking to make a record of the transfer of the 115 inches to the 320 acres. There appears to be no one who has been or could be injured in any respect by the transfer which was effected nearly 50 years ago. We think, that at the very least, a prescriptive right has now been acquired to the use of the 115 inches on the 320 acres. We, of course, desire that the records of the department reflect and confirm the transfer which took place in 1926.

Dept. of Water Resources
August 8, 1975
Page Four

If there is additional information which you feel would be helpful, please feel free to contact us at your convenience. Since our firm has assisted Mr. Mays and the Trustee in this matter, and has prepared and is submitting the Application and attachments, we would appreciate it if all further correspondence and contacts could be made directly with our office so we can be apprised in the matter at all times.

Thank you for your assistance in this matter.

Yours very truly,


Kent W. Foster

KWF:jt
Enclosures

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 33-034

Notice is hereby given that Jack W. Mays, Howe, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of Warm Springs Creek. The right sought to be changed is evidenced by decree to Edwin R. Hawley in Case of Edwin R. Hawley -vs- D. B. Hawley, dated June 11, 1906 in Sixth Judicial District Court, Fremont County and is recorded as follows:

AMOUNT: 2.30 cfs. PRIORITY: May 1, 1880

DECREEED POINT OF DIVERSION: NW $\frac{1}{4}$, Sec. 12, T. 6N, R. 28E, B.M., Butte County;

The water is used to irrigate 640 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 2, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, T. 5N, R. 29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 320 acres within the NW $\frac{1}{4}$, Sec. 22,

SE $\frac{1}{4}$, Sec. 19, T. 6N, R. 29E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 8, 1975.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho, on August 21 and August 28, 1975.

Handwritten notes:
Call 9/15
9/22/75
9/30/75
J. H. Adams

SUMMARY OF WATER RIGHT NO. 33-0034

June 1906 Decree (Edwin R. Hawley vs D. B. Hawley) 150 inches of Warm Springs Creek - Priority 6/1/1880 decreed to Edwin R. Hawley.

March 1927 Decree (Blaine Co. Investment Co. vs Robert G. Mays) Priority 5/1/1880 - 150 inches of Warm Springs Creek decreed to Little Lost River Land & Livestock Co. Note: Decree lists source as "Spring Creek".

February 1926 Little Lost River Land & Stock Co. sold 150 inches of water from Warm Springs Creek to The Alliance Trust Co., Ltd. (documents mention decree to Hawley)

May 1926 Alliance Trust Co. sold 115 inches (or 2.3 cfs) of Warm Springs Creek to Harry Mays (documents mention decree to Hawley)

August 1942 Alliance Trust Co. sold 35 inches (or 0.7 cfs) of Warm Springs Creek to G. G. Harrell (documents mention decree to Hawley)

November 1951 Transfer No. 782 - G. G. Harrell changes place of use of his 35 inches of Warm Springs Creek

May 1974 Harry Mays Trust sold 115 inches to Jack W. & June E. Mays (see Kent Foster letter of 2/8/75 for explanation of split shown below)

October 1975 Transfer No. 1852 - Jack W. Mays changes place of use of 115 inches of Warm Springs Creek (as decreed to Hawley)

Ownership of Decreed Right No. 33-0034

Jack W. Mays & June E. Mays

115 inches or 2.3 cfs

G. G. Harrell

35 inches or 0.7 cfs

TOTAL 150 inches or 3.0 cfs

* Jack Mays 106"
Ada Mays Trust 9"

kw
1/30/1985

33-0034

1152

RECEIVED

OCT 8 1975

Department of Water Resources

APPROVED APPLICATION FOR TRANSFER OF WATER RIGHT Dep

To Change the Point of Diversion and/or the Place of Use .

1. Name of Right Holder Jack W. Mays ----- Harry H. Mays Trust, April 10, 1968
Ada Marie Mays Trust, April 10, 1968
By: Peggy Anne Gray, Trustee
Post office address Howe, Idaho 83244 ----- 5136 S. Passage Drive
Pittsburg, Pa. 15236

2. Right obtained by:

a. Decree to Edwin R. Hawley In Case of Edwin R. Hawley
(Name)
vs. D. B. Hawley, Dated June 11, 1906, Sixth Judicial District
(Name of Court)
Court, County of Fremont

b. License No. _____ Issued by the State of Idaho, Department of Reclamation.

3. Source of water Warm Springs Creek tributary to not a tributary
(Name of stream or source)

4. Date of Priority May 1, 1880

5. Amount of water a. 2.3 c.f.s. and/or Jack Mayr-106 inches or 2.12 cfs
Trust-9 inches or .18 cfs
b. _____ acre feet/annum

6. Water is used for irrigation from April 1 to October 31
(Month, Day) (Month, Day)

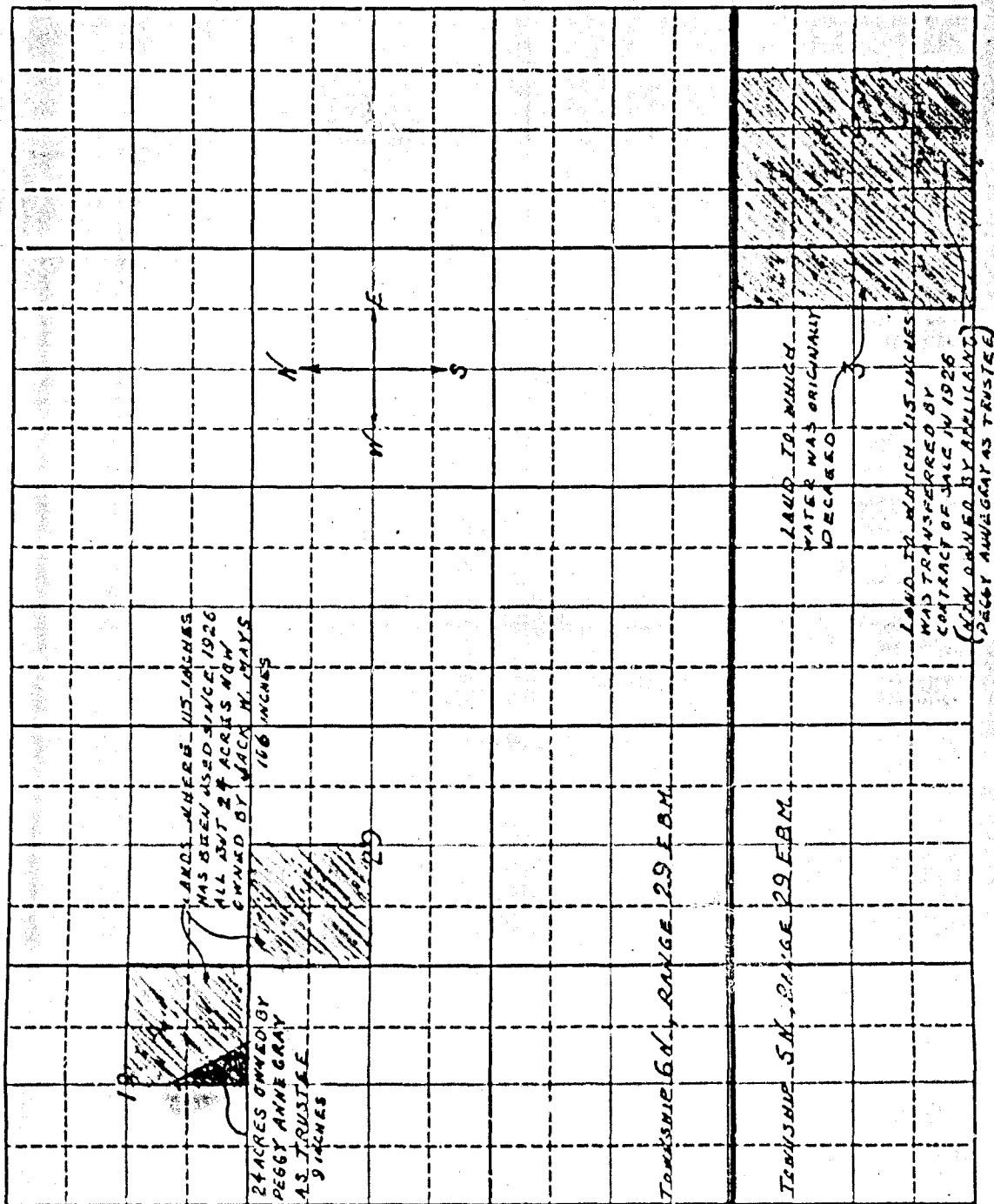
7. Original location of point of diversion is NW ^(Month, Day) 12 ^(Month, Day) of Section 12
Township 6 N, Range 28 E, B.M. in Butte County

Additional points of diversion, if any.

8. - lands presently irrigated or place-of-use. Lands to which this water right was originally decreed:

[illegible]

Total number of acres presently known to be 640 acres



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

Trust 24 acres

- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
To applicant's knowledge, water right has never been used on land
to which it was decreed. That land is presently irrigated through
other means.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.
- I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Perry Anne Gray, Trustee Jack W. Gray
 (signature of applicant) (signature of applicant)

Subscribed and sworn to before me this 17 day of September, 1974
Grant R. Fisher
 (notary public)

My commission expires 1/15/78
 Subscribed and sworn to before me this 21 day of July, 1975
Mary O. Ludwig
 Notary Public for Penn.
 My Commission Expires 12/5/77

ACTION OF STATE RECLAMATION ENGINEER
 AND CERTIFICATE OF TRANSFER
 My Commission Expires 12/5/77

This is to certify that I have examined Application for Transfer of Water Rights No. #1852/33-0034
 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by the Director shall be permanently
installed and maintained as part of the diverting works.
2. Denial of said application is for the following reasons: _____

Witness my hand this 11 day of October, 1975

R. Paul Hays
 State Reclamation Engineer

Received by MB Date 9-15-74
 Prelim. check by MB Date 8-13-75
 Fee received by MB Date 8-12-75 Fee \$20.00 #4378
 Approved for publication by _____
 Published in Official Register Date Aug 21st, 1975
 Hearing held _____
 Watermaster Recommendation sent to D #33 Oscar Johnson

Protest filed by: _____ Date _____

33-0032

No! only

33-00031 (part)

STATE OF IDAHO,

County of Butte ss.

C. W. Holland being first duly sworn, upon his
oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

E 1/4 Sec 3 Twp 5 North of Range
29 East of Boise Meridian

as evidenced by the decree dated March day of March
in the cause entitled Blaine County Investment Company Plaintiff,
vs. Robert G. May et al Defendant, brought
in the District Court of the Sixth Judicial District of the State of Idaho; or,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. _____

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

S 1/2 of NW 1/4 Sec 4 Twp 5 North
Range 29 East of Boise Meridian

That such change will be made for the following reasons, to-wit:

No allow-water is used by applicant to
remain in the old river channel for about 1/2
mile thereby shortening private ditch which
will make a more beneficial use of water

That no one will be injured by such change and that deponent will make such change at his own risk

And further deponent saith not.

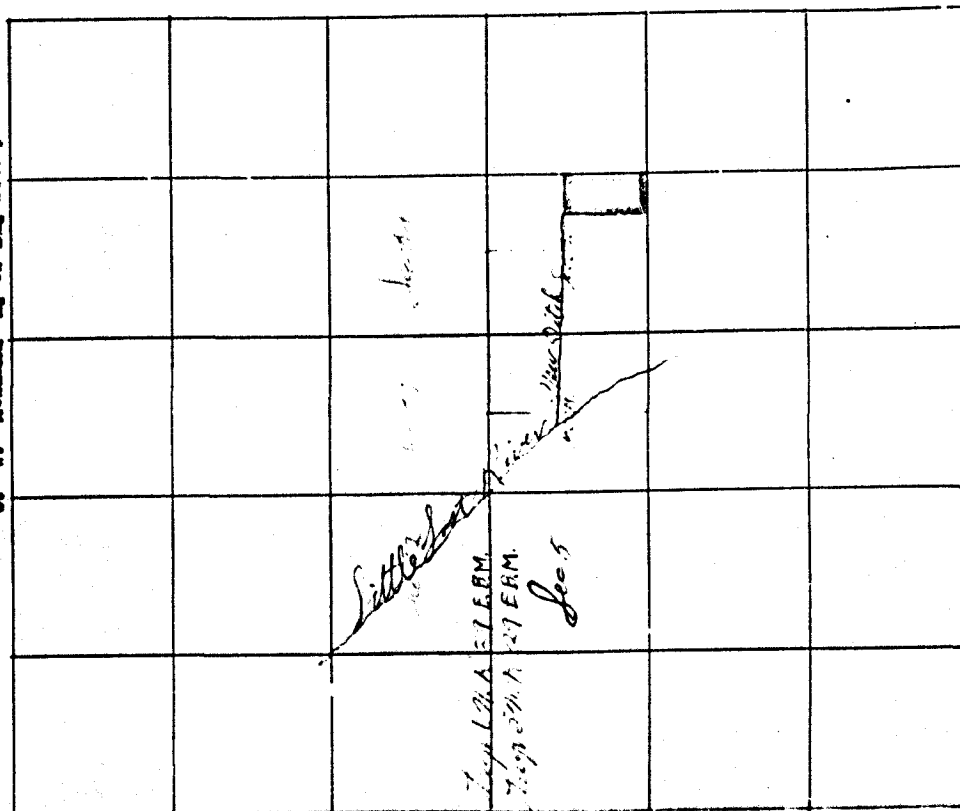
Subscribed and sworn to before me this 22nd day of April 1927

C. W. Holland
Notary Public.

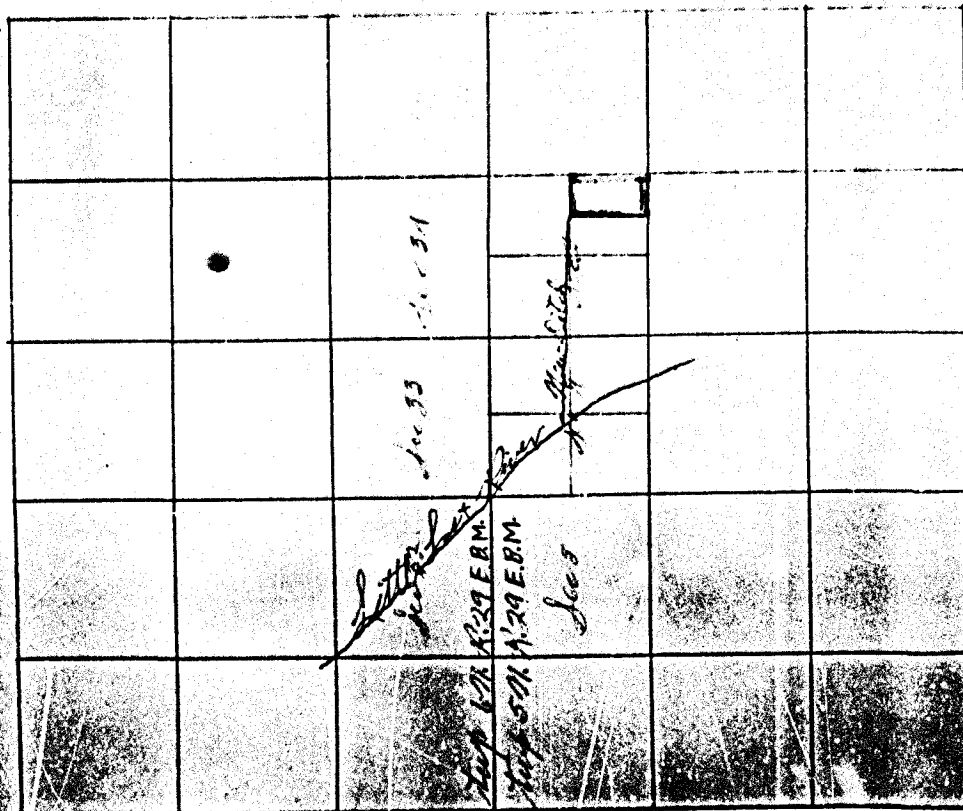
My commission expires May 22-1930

(Over)

C. V. Holland Mt of S&T Sec. 3.



C. V. Holland Mt of S&T Sec. 3.



4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pancheri

CLAIM IDENT. NO.

A33-00032A

DATE RECEIVED

4/11/90

CK #

AMOUNT \$

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:

DC

Date:

2/16/90

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

2/16/90

Checked by:

Date:

Comments:

MICROFILMED

NOV 18 1992

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00032A

LAST: PANCHERI, INC.
ADDRESS: 6 JERRY PANCHERI, PRES.
CITY: H2WE
PHONE NUMBER: 208-767-3419

FI:57C

STATE: ID ZIP: 83244 97658

PHONE NUMBER: 208-767-3419

OWNER CODE: C

FIELD EXAM: REQUIRED?

FIELD
EXAMINER

DATE 1953

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: OTHER NIGHTS: 35-02014, 2056, 2065, 2066, 2093, 2102, 2113, 2117, 2126, 2045, 1027, 10409, 2022-13, 202-25, 0-39-47, 0055, 2068, 0063-85, 0097, 0098, 0090, 0092, 2106, 2109, 0110, 0115

FIELD EXAMINATION INFORMATION

CONTACT PERSON: A. Ruby

PHONE NUMBER: () - -

DATE OF FIELD EXAM: / /

TIME: : A() P()

CONTACTED
~~AGENCY NAME~~ BY:
ROD PANICHERI (30 Nov 95)

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

Visited Baogee Cr Ranch on 12 Oct. 95, and again on 11 Dec. 95.

A. AJ CLAIM: # A33-00032A PRIORITY DATE: 06-01-1991 STAGE: 0

B. WR RECORD: # 33-00032 PRIORITY DATE: 06-01-1991 STAGE: 0

C. FIELD EXAM REQUIRED?

FIELD
EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

IF YES EXPLAIN.

NOTES: PRIORITY CLAIMS MATCHES DERIVED RIGHT 33-00032

RECOMMENDED PRIORITY DATE: 06-01-1991

As CLAIMED

REVIEWED BY [Signature] DATE 19 Dec 95

133-00115
 133-02014
 133-02056
 133-02065
 133-02066
 133-02093
 133-02103
 133-02113
 133-02114
 133-02117
 133-07015
 133-07027
 133-10021
 133-10057
 133-10073
 133-10074
 133-10109
 133-10112

SOURCE: LITTLE LOST RIVER TRIP: SINKS
 B. MR POINT OF DIVERSION AND SOURCE:
 330032 THERE IS NO PDD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LITTLE LOST RIVER TRIP: SINKS

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DATABASE	Y/N	Y/N
---	Y	Y	N

NOTES:

THERE HAVE BEEN NO TRANSFERS MOVING P.O.s OR P.O.s.
 SOME DOCUMENTED REFERENCES IS MADE TO TRANSFER 607. BUT 1607 APPLIES
 (ONLY TO A PORTION OF 33-00031 (AS 00031 FROM SPLIT OF A PORTION).

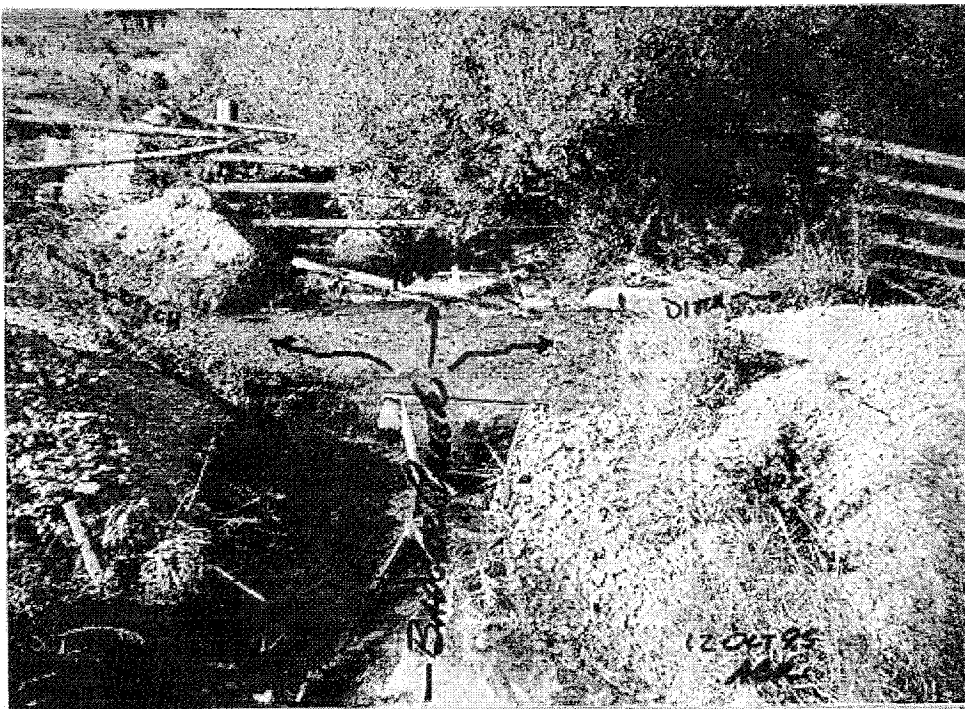


Photo 1. TAKEN FROM THE LITTLE
LOST RIVER HIGHWAY AT THE BADGER
CREEK CULVERT. THIS IS THE POINT
OF DIVERSION FROM BADGER CR.
AN EXCHANGE DIVERSION FROM
THE LITTLE LOST RIVER IS ALSO
USED (SEE PHOTO 4 THIS SET)
USE OF BADGER CREEK WATER IS
EXCHANGED FOR LITTLE LOST RIVER RIGHT
33-00032 (CLAIMED AS: A33-00032A).

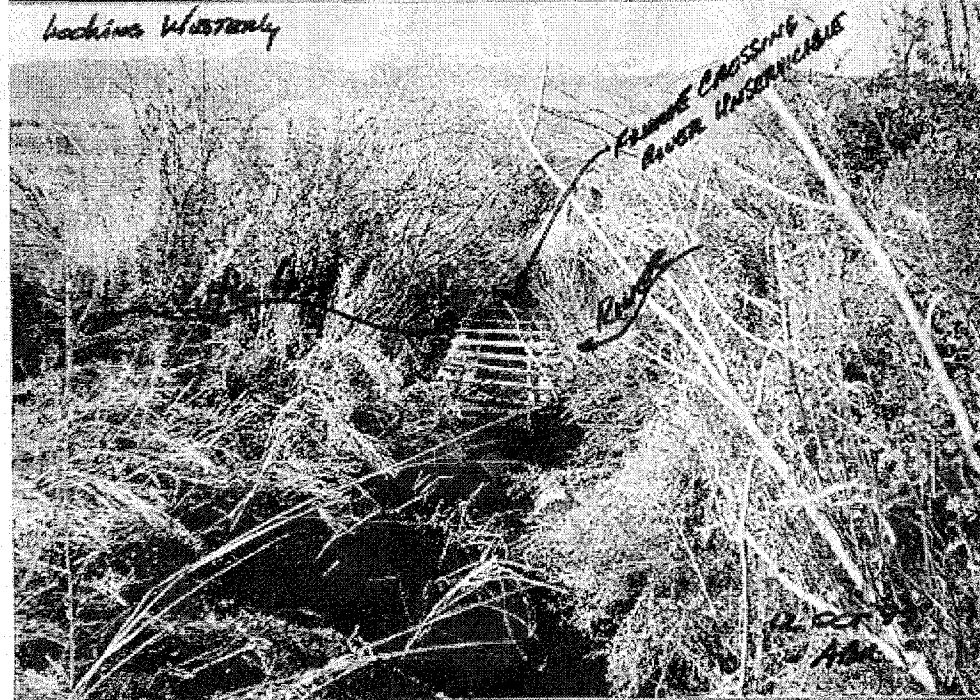


Photo 2. OLD UNSETTLEABLE
FLUME CROSSING LITTLE LOST RIVER
(HIDDEN IN UNDERGROWTH - FLOWING
RIGHT TO LEFT). THIS FLUME
CARRIED BADGER CREEK AND/OR
LITTLE LOST RIVER EXCHANGE WATER
TO THE WEST SIDE OF LITTLE LOST
RIVER. SEE DEER CREEK CLAIM
A33-10119. NO LONGER USED.

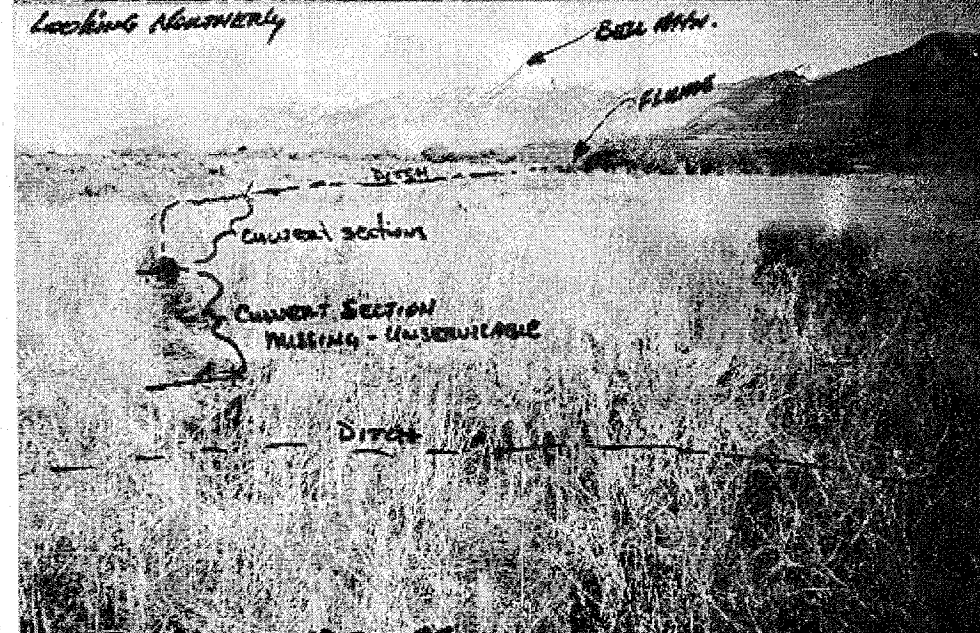


Photo 3. SHOWS THE OLD DITCH
AND CULVERT SECTIONS WHICH ON
CONVEYED BADGER CREEK WATER (A
LITTLE LOST RIVER EXCHANGE WATER
TO THE AREA NOW CLAIMED AS
SERVICED BY DEER CREEK WATER.
SEE A33-10119.

PANACHEL INC.
33-00035A

Photo taken

Looking Northeast

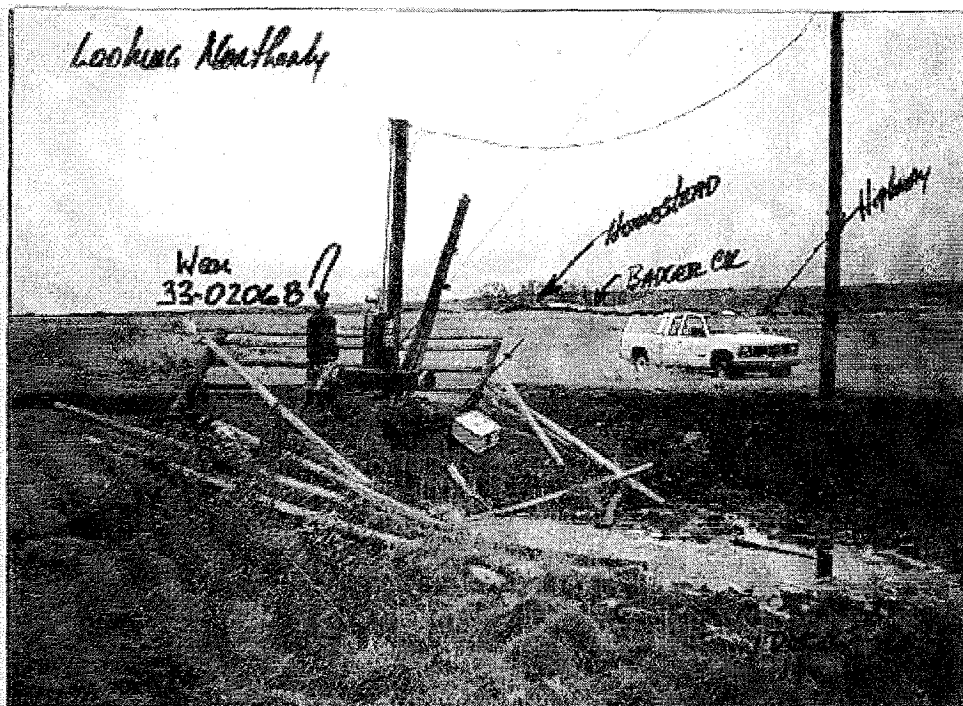


Photo 1. Well ^A33-02068, 150
12 Dec. 95 NO ADJUDICATION CASE
HAS BEEN FILED. PANCHERI AND
K. FOSTER (ATTORNEY) HAVE BEEN IN-
FORMED. Filed 8 Jan 96.

THIS WELL WHEN DISCHARGES TO
DITCH THEN FLOWS THROUGH THE
PARSHALL FLUME (IN PHOTO 3) THEN
ON INTO LITTLE Lost RIVER (SEE
PHOTOS 4 AND 5).

Looking Southeast



Photo 2. Looking South
DOWN THE DITCH TO RIVER.

MOTOR: GE 30 HP
SN: XGJ6874210

PUMP: FAIRBANKS-MORSE
H10H 100A
10" OPEN DISCH.

Looking Northeast



Photo 3. PARSHALL FLUME WHICH
MEASURES WELL OUTPUT. FLUME
APPEARS LEVEL AND IN GOOD CONDI

PANCHERI'S BADGER CO RANCH

33-02068
WELL NON-ADJUDICAT

12 Oct 95
ABR

BADGER CK RANCH
UPPER DIVERSION ON
LITTLE LOST RIVER

Looking East

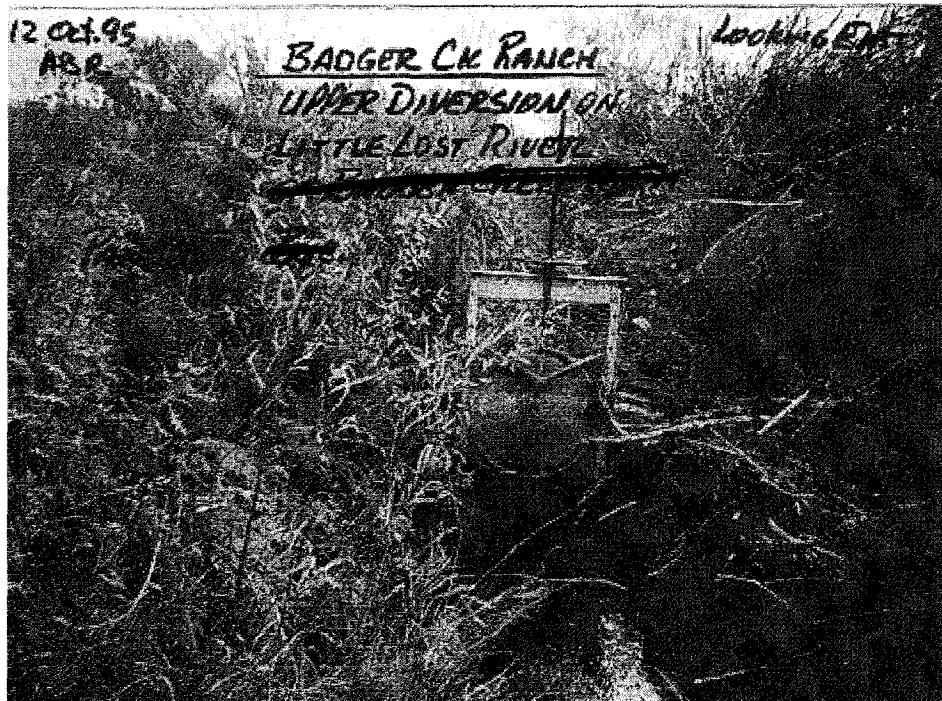


Photo 4. Shows Little Lost River
~~Exchange~~ DIVERSION FOR THE
~~BADGER CREEK~~ DECIDED RIGHT.
Little Lost

Looking Northwest



Photo 5. Shows PLACES OF USE
OF BADGER CREEK AND LLR
EXCHANGE WATER.

THIS AREA IS ON THE NORTH
SIDE OF BADGER CREEK.

Also for Lic. 33-02068.

PANCHERI INC.
33-00035A

Photos Taken: 12 Oct 95 ABR

Page: 63

151

CLAIM NUMBER: A33-20032A

TRIP: SINKS

SOURCE: LITTLE LOST RIVER

DATE: 19 Dec. 95

REVIEWED 3Y:

SYSTEM DESCRIPTION:

SEE Photo pages no ASCS Photo copy

LITTLE LOST RIVER 33A
DIVERSION A33-00032A

NO IRRIGATION
TO THESE FIELDS

A33-00033A
CLAIM NO(S) A33-00035A, 00032A
DATE: 12 Oct 95 T 9N. R 27E
SOURCE OF DOC: ASCS

SIGNATURE: *SB. Rulung*

STATE LAND

NESW Sec 34
STATE OF IDAHO

ADDER CREEK
WIT OF DIVERSION

BADGER CREEK

DEER CREEK

T. 9N.

T. 8N.

33 34

Lot 4
37.14

Lot 3
38.20

Lot 2
38.20

Lot 1
39.20

PAST.
23.2

POINT OF DIVERSION
WELL
33-0206B

PAST.
25.0

PARSHALL FLUME

POINT OF INJECTION

LEGEND

- 23 ACREAGE (Dot Count) ACTUAL
- PARCELS AS DECREED (No Ac.)
- CLAIMED, NOT IRRIGATED

4 3
9 10

PRESUMPTION FLAG:

NOTES:

1. NESE SEC. 33 (12.0 AC.) AND SW 1/4 SEC. 34 (1.0 AC.) APPEAR TO HAVE BEEN AND OVERSIGHT OF
THE AGREEMENT SHOWN ON THE DEEDS. IT APPEARS HISTORICALLY THESE PARCELS HAVE
ALWAYS BEEN OWNED BY DECEASED OWNERS. (13 AC.)

RECOMMENDATIONS:

TOTAL ACRES: 13.0
REVIEWED BY: *ABR/brm*

DATE: 19 DEC 95

PRESUMPTION CODE: C CHANGE IN R/W DENIED - SEE ABOVE NOTE 1.

CDS: DPOU

A. AJ CLAIMED USES:

PURPOSES
A33-00032A IRRIGATION

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

DIVERSION QUANTITY
2.140 CFS
2.140 CFS

B. WR RECORDED USES:

PURPOSES
33-00032 IRRIGATION

FROM MONTH/DAY TO
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.800 CFS
4.800 CFS

PRESUMPTION FLAG: C

CHANGE IN P.O.D. DECREASED

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
DATEBASE
N
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N()
Y(✓) N()

EXPLAIN IN NOTES, BELOW.

NOTES:

Period of Use as Claimed: As Decreased

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

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

2.140 CFS
4.300 CFS

555 A. 132 SPLIT RESERVOIR

*** 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 WATERMASTER RECORD, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: SEE REMARKS

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00052A	LITTLE LOST RIVER	PANCHERI, INC.	2.140			
A33-00032	DRY CREEK	BLAINE COUNTY CANAL CO.	5.500			
A33-00033	DRY CREEK	BLAINE COUNTY CANAL CO.	51.300	0.010		
A33-00034	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	12.000	0.002		
A33-00035	LITTLE LOST RIVER	BLAINE COUNTY CANAL CO.	145.300	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	3.35
A33-00016	SUNNIT CREEK	BLAINE COUNTY CANAL CO.			1000.00	0.16
	TRAIL CREEK					
	SUMNERHOUSE CREEK					
A33-00017A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.300	0.001		
A33-00018A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.300	0.001		
A33-00019A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	0.360			
A33-00020A	LITTLE LOST RIVER	MAYS LAND AND LIVESTOCK INC	1.300	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.	0.400			
A33-00025	SAN HILL CREEK	PANCHERI, INC.	1.100			

0. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 131 X 0.02 CFS/ACRE = 2.62 CFS
(TAKEN FROM P/U REVIEW)

DJES 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 131 X CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 458.5 AF/A

3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AF/A
ACRES 131 X DIVERSION VOL. AF/A FOR AREA 2.5 =
TOTAL DIVERSION VOLUME 327.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y() N()
P/O & P/U INCOMPLETE.

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

Remond
E/P: 33-00035A, 262 cfs, 327.5 AF, 131/0AC
000 33 A
02068

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01 As Decreed	DATABASE EXAMINER 2.140	DATABASE EXAMINER -----	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT		2.140	AS CLAIMED	0.0

REVIEWED BY:  DATE: 19 Dec 95

A33-00032 Pancheri, Inc. 06/01/1891

COMMENTS: This right was decreed from the Little Lost River for 4.80 cfs but since sometime prior to 1987 has been diverted from both the Little Lost River and Badger Creek. It is not immediately clear from water right records where on the Little Lost River this right was originally diverted, although decreed owners of right also had a 1907 Badger Creek right and some lands near Badger Creek, as well as some rights and lands near Howe. A 25% loss is charged in delivery of this right. No change is recommended in delivery of this right.

CLAIMANT: LAWRENCE INC.

AGENT: A. P. Lawrence DATE: 9 Jan 96

TOTAL ACRES 131 (COMBINED)
IRRIGATION METHOD: FLOOD 100% SPRINKLER 0%
DIV VOL = 131 AC. X 3.5 = 458.5 AF
C.U. VOL = 131 AC. X 2.5 = 327.5 AF

- #4 P.D. A. OPEN 27E 503 SENEW (LOT 3)
- #4 B. OPEN 27E 503 NW SENEW P.R. (LLR)
- #1 C. OPEN 27E 533 NENWINE P.R. (LLR)
- RES. W/ STATE P.D. _____

ANALYSIS

ANALYSIS #	AJ NUMBER	REC. ACRES	RECOMMENDED PRIORITY	RECOMMENDED CFS	Q.M. CFS
#1 LLR	<u>33-00032A</u>	<u>131</u>	<u>06/01/1891</u>	<u>2.44</u>	
#2 LLR	<u>33-00033A</u>	<u>131</u>	<u>06/01/1905</u>	<u>2.50</u>	<u>4.64</u>
#3 BC	<u>33-00035A</u>	<u>131</u>	<u>03/04/1907</u>	<u>0.92</u>	<u>5.36</u>
#4 GW	<u>33-02068</u>	<u>131</u>	<u>01/14/1953</u>	<u>4.85</u>	

DIV RATE / AC.
0.016

DIVERSION RATE ANALYSIS

DIV. RATE AT 1" PER ACRE = 131 X 0.02 CFS = 2.62
D.V. RATE AT 1/2" PER ACRE = _____ X 0.01 CFS = _____
D.V. RATE AT _____ PER ACRE = _____ X _____ CFS = _____

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y () N () Comb
** IF YES, ADDITIONAL WATER USE FORM INCLUDED? Y () N () **

REMARKS: _____

STANDARD CONDITIONS: RT.#1 E10
RT.#2 E10

RT.#3 E10
RT.#4 G03: E01

STANDARD REMARKS:

#4 G03: Little Lost River, Little Lost River

- #1 E10: (33-00032A, 33-00033A, 2.62 cfs, 327.5 AF, 131 AC)
33-02068, 33-00033A
- #4 E01: 33-00032A, 2.62 cfs, 458.5 AF, 327.5 AF, 131 AC
- #3 E10: (33-00032A, 33-00033A) 2.62 cfs, 327.5 AF, 131 AC

G.W. (4.85)(19835)(184) = 1770.1 AF
G.W. 4.85 AC. - 2.62 AF/AC = 2.23 EXCESS
G.W. Reduced to 2.62 cfs
(2.62 cfs)(19835)(184) = 956.21 AF

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐

OWNERSHIP FORFEIT/FORFEITURE ☐
ADDITIONAL DIV. AMOUNT ☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00032

TOTAL DIVERSION RATE OF ALL SPLITS

DATABASE 16.847 EXAMINER 2.14 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A33-00032A A33-00032B A33-00032C A33-00032D	A33-00032A A33-00032B A33-00032C A33-00032D	5.530 5.530 5.530 5.530	A33-00032A A33-00032B A33-00032C A33-00032D	2.14 2.14 2.14 2.14	33-00032A 33-00032B 33-00032C 33-00032D	5.530 5.530 5.530 5.530
TOTAL CFS		14.00				14.00

DIVERSION RATE REVIEW

DO THE SUM OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE N
FIELD EXAMINER

NOTES:

THIS RIGHT IS SPLIT AND CLAIMED AS: 33-00032A - 2.14 cfs Panhandle, Inc.

33-00032B - 2.00 cfs LEO Amy

4.14 cfs

0.66 cfs UNCLAIMED

4.80 cfs

THERE IS NO KNOWN (RECORDED) TRANSFER THAT SAYS THIS RIGHT. REVENUE IS PAID TO TRANS. 607 BUT 7.607 HAS ONLY TO DO WITH 33-00031 (PART). - SEE A33-00031D

IT IS NOT KNOWN WHAT HAPPENED TO THE UNCLAIMED 0.66 cfs PORTION OF THIS RIGHT. ADJUDICATION CLAIMS A33-00032A AND A33-00032B ARE THE ONLY CLAIMS (KNOWN) ON THIS RIGHT.

Pete T. Luke study; Little Lost River Water Dist. May 19, 1993, Addendum pg. 4 "A 25% Loss is CHARGED... NO CHANGE IS RECOMMENDED IN DEDUCTIBILITY OF THIS RIGHT." => THIS RELATES TO 33-00032B (L. Amy)

No Leo Amy

Parchi get all
240" w/ 25% loss

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 19 Dec 95
NAME OF FIELD EXAMINER: James R. Kennedy TITLE: Sr. Sgt.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
JUDICATION CLAIM VERIFICATION REPORT

00:00:54
03/23/93

885
CLAIM NUMBER: A33-30032A

PAGE: 134
QUICKLOOK INFORMATION

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		Met J. Panchard @ HBO. Klamath River 12 Oct. 95 A&C	12/13 Oct. 95	N				
POINT OF DIV		VISITS TO REDWOOD AND BRADLEY CK.	1 DEC 95 A&C	N				
SOURCE	Y	30 Apr. 95 Spoke to BOB PANCHARD TO VISIT BRADLEY CK.		Y				
PLACE OF USE				N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N				
PURPOSES								
PERIOD OF USE	Y			N				
BASES OF CLAIM	Y			N				
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PH = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

Presumption 0000? C change in A&C.

COND. / Remark
Cp3 B10
Cp5

CLAIM NUMBER: A33-10032A

USE PERIOD DIVERSION RATE DIVERSION VOLUME

04-01 11-01 2.14 CFS

2.14 NES
TOTAL DIVERSION:

TRIBUTARY TO: SIMKS

~~BUTTE COUNTY~~
~~BUTTE COUNTY~~
~~BUTTE COUNTY~~
~~BUTTE COUNTY~~
~~BUTTE COUNTY~~

STAGE: DEC 22 ED

h
s

T	R	S	NE			NW			SE			SW			S			SUM
			NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	
05N	29E	3	39	40	40													159.0
05N	29E	4	40	40	40													383.0
05N	29E	5	28															28.0
05N	29E	10																160.0
05N	29E	11																320.0
05N	29E	12																160.0
05N	29E	13	40	40	40													538.0
05N	29E	14	40	40	40													298.0
06N	29E	21																278.0
06N	29E	31	33	40	37													107.0
06N	29E	32																313.0
06N	29E	34	24	15														117.0
09N	27E	3																262.0
09N	27E	13																312.0
09N	27E	21																312.0
09N	27E	23																264.0
09N	27E	33	18	25														139.0
09N	27E	34																94.0
																		4599.0
																		TOTAL ACRES

SEE LANDLIST ATTACHMENT

OTHER RIGHTS: ~~SEE MEMBERS~~ 02068, 33A, 35A-

Presumption Code: C Change in P.Dell.

OTHER RIGHTS: 33-02014, 2056, 2065, 2056, 2038, 2103, 2113, 2117, 2125, 7015, 1027, 10109, 0002-13, 0024-35, 0339-47, 0055, 0059, 0083-85, 0083

ALBSE SEC. 33 (124c.)
SWISE SEC. 34 (14c.)

Coast. Kennels

CP3 1510
CP5

LITTLE LOST RIVER 33A
DIVERSION A33-00032A

NO IRRIGATION
TO THESE FIELDS

A33-00033A
CLAIM NO(S) A33-00035A, 00032A
DATE: 12 Oct 95 T 9N. R 27E
SOURCE OF DOC: ASCS

SIGNATURE: *[Signature]*

STATE LAND

NESW SEC 34
STATE OF IDAHO

ADDER CREEK
INT OF DIVERSION

BADGER CREEK

DEER CREEK

T. 9N.

T. 8N.

33 34

Lot 4
37.14

Lot 3
38.20

Lot 2
38.20

Lot 1
39.20

PAST.
23.2

POINT OF DIVERSION
WELL
33-0206B

PAST.
25.0

PARSHALL FLUME

POINT OF INJECTION

LEGEND

- 23 ACREAGE (Dot Count) ACTUAL
- PARCELS AS DECREED (No Ac.)
- CLAIMED, NOT IRRIGATED

4 3
9 10



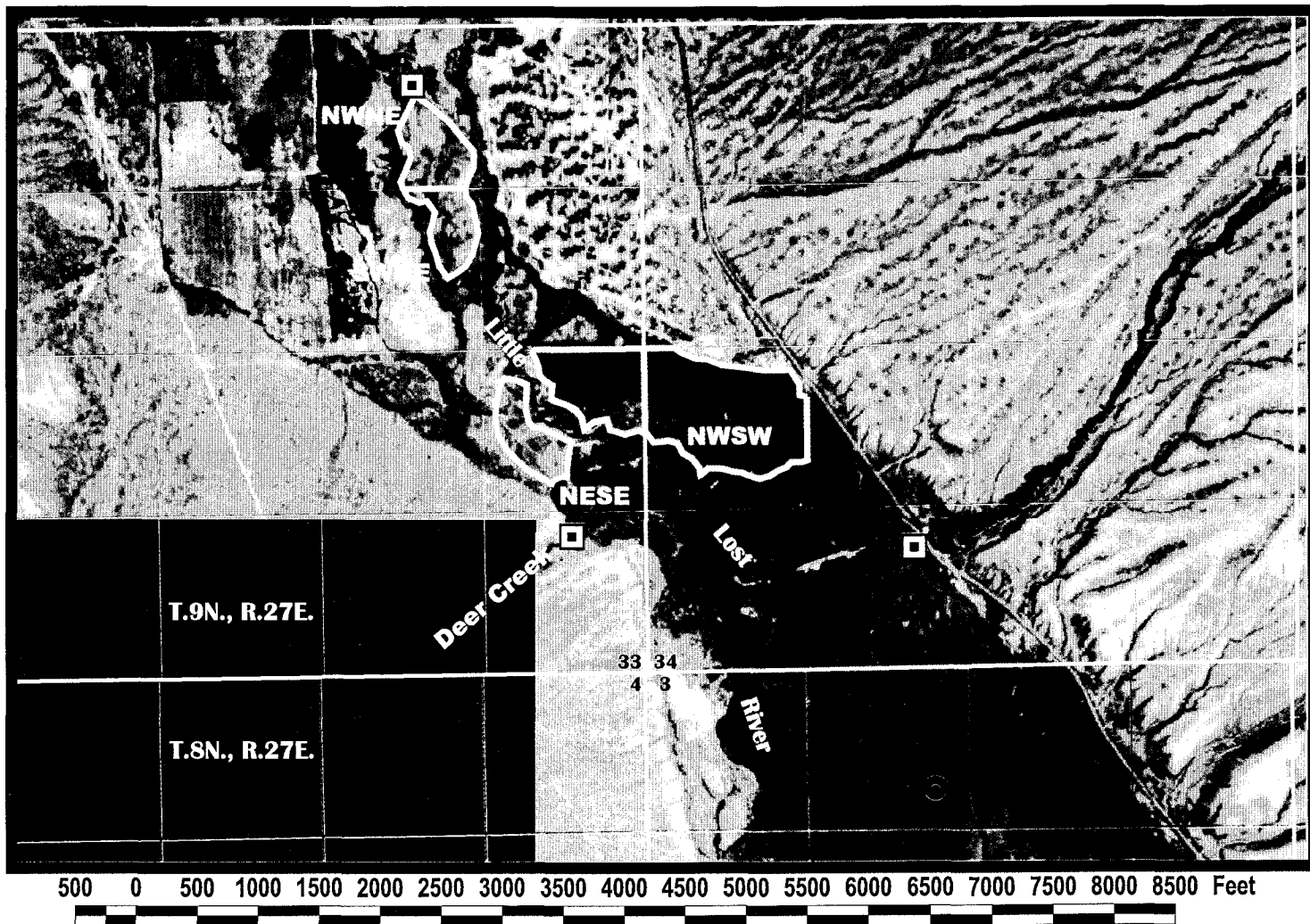
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00032A, 33-00033A



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

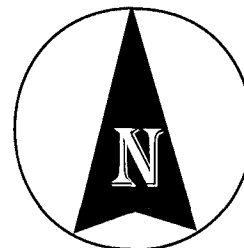
Place(s) of Use: T.9N., R.27E.

Sec. 33 (parts of) W2NE, NESE,

Sec. 34 (part of) NWSW

Point(s) of Diversion: T.9N., R.27E.

Sec. 33 NENWNE



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

28 27

33 34

NW 1/4

SW 1/4

Paneheri, Inc. Badger Creek Ranch

33 34

4 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC	06/01/1891	IRRIGATION	04-01 11-01	2.140 CFS	
TOTAL DIVERSION:					2.140 CFS	

Water Source:	LITTLE LOST RIVER	Tributary to:	SINKS	Stage:	DECREED
Point(s) of Diversion:	T09N R27E S33	NENWNE		BUTTE County	

[illegible]

POU County: BUTTE

Other Rights: 33-00033A

Conditions of Approval:

- 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.
- 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.

Remarks: QNT
USE OF THIS RIGHT WITH RIGHT NO. 33-00033A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.2 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 33-00033A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 55 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 33	Field Inspection Flag: C	Presumption Flag:

Per To # 27
Per To # 40

Comments:

Date: 01/10/1996 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
OTHER RIGHTS: 33-02014, 2056, 2065, 2066, 2093, 2108, 2113, 2117, 2126,
7015, 7027, 10109, 0002-13, 0024-36, 0039-47, 0065, 0068, 0083-85, 0087,
0088, 0090, 0092, 0108, 0109, 0110, 0115
CONFORMED ATTORNEY MAILING ADDRESS DMS

Date: 01/16/1996 User-ID: ARUBERRY Subject: EXCHANGE USES

1.) WHEN RIGHTS 33-00033A AND 33-00035A ARE CUT THIS RIGHT CAN BE
SUPPLEMENTED BY 33-02068 TO FILL DIVERSION RATE. USE OF 33-02068
IS AN EXCHANGE SOURCE WITH THIS RIGHT FROM LITTLE LOST RIVER.
2.) WHEN THIS RIGHT IS ON IT CAN BE EXCHANGED WITH THE WATERS OF
BADGER CREEK AS LONG AS THE DIVERSION RATE OF THIS RIGHT IS NOT
EXCEEDED.

3.) THIS RIGHT CAN BE EXCHANGED FOR BADGER CREEK AND 33-02068 CAN
BE A SUPPLEMENTAL SOURCE FOR THIS RIGHT, AT THE SAME TIME.

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.

Date: 12/01/1999 User-ID: BCONTOR Subject: RECOMMENDATIONS
CODED PER CONSULTATION W/ AL RUBERRY. CLAIMANT WILL NEED TO FILE
TRANSFERS TO REFLECT POST-87 CHANGES AND INTENDED CHANGES. THIS
RECOMMENDATION ATTEMPTS TO GIVE REASONABLE DESCRIPTION OF
AUTHORIZED USE AS OF 1987. BCONTOR.

Audit: 12/01/99 BCONTOR

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: A33-00032A
Date Received: 1/11/1990
Receipt No: E011683
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 01, 1891

3. Source: LITTLE LOST RIVER Trib. to: SINKS

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:
DIVER. 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	2.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ STOCKWATER

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
		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
06N	29E	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

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 REMARKS

14. Remarks:
OTHER RIGHTS: 33-02014, 2056, 2065, 2066, 2093, 2108, 2113, 2117, 2126,
7015, 7027, 10109, 0002-13, 0024-36, 0039-47, 0065, 0068, 0083-85, 0087,
0088, 0090, 0092, 0108, 0109, 0110, 0115

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

BLAINE CO. INVEST. CO.
Decree Plaintiff

MAYS ET AL.
Decree Defendant

vs.

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 SYSTEMCIVIL CASE NUMBER: 039576
Ident. Number A33-0032A
Date Received 1/11/90
Receipt Number E011683

A3300032A



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) June 1, 18913. Source of water supply (a) Little Lost Riverwhich is tributary to (b) Sinks

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.

MICROFILMED

NOV 18 1992

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 REMARKS

14. Remarks:
OTHER RIGHTS: 33-02014, 2056, 2065, 2066, 2093, 2108, 2113, 2117, 2126,
7015, 7027, 10109, 0002-13, 0024-36, 0039-47, 0065, 0068, 0083-85, 0087,
0088, 0090, 0092, 0108, 0109, 0110, 0115

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

BLAINE CO. INVEST. CO.
Decree Plaintiff

MAYS ET AL.
Decree Defendant

vs.

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 2.14 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) 2.14 (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:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. 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	:
5N:29E:	3:	:	39' 40'	:	:	:	40' 40'	:159
:	:	:	4: 40' 40' 40' 40:	:	:	:	38' 30:	:40' 40' 35' 40:383
:	:	:	5: 28'	:	:	:	:	:28
:	:	:	10:	:	:	:	:	:40' 40' 40' 40:160
:	:	:	11:	:	:	:	40' 40' 40' 40:	:40' 40' 40' 40:320
:	:	:	12:	:	:	:	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' 40:	:	30:	:31:298
6N:29E:	29:	:	:	:	:	:	40' 38' 40:	:40' 40' 40' 40:278
:	:	:	30:	:	:	:	27:	:40' 40:107
:	:	:	31: 33' 40'	:	18'	:	:	:91
:	:	:	32:	:	35' 37' 10' 38:	:	14'	:40' 35' 39' 26:313
:	:	:	34:	:	:	:	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:	:312
:	:	:	16:	:	39' 39' 39' 39:	:	39' 39' 39' 39:	:312
:	:	:	21:	:	33' 33' 33' 33:	:	33' 33' 33' 33:	:264
:	:	:	28:	:	33' 33' 33' 33:	:	33' 33' 33' 33:	:264
:	:	:	33:	:	18' 25'	:	40' 40:	:9' :7:139
:	:	:	34:	:	:	:	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 33-0032

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12. Do you own the property listed above as place of use? Yes X No
If your answer is No, 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 33-0032
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

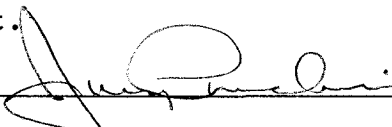
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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 33-0032

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NOV 18 1992

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

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

Notary Public *[Signature]*
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 *[Signature]*
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 01/11/90

Last Name Pancheri, Inc. Ident. Number 33-0032

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

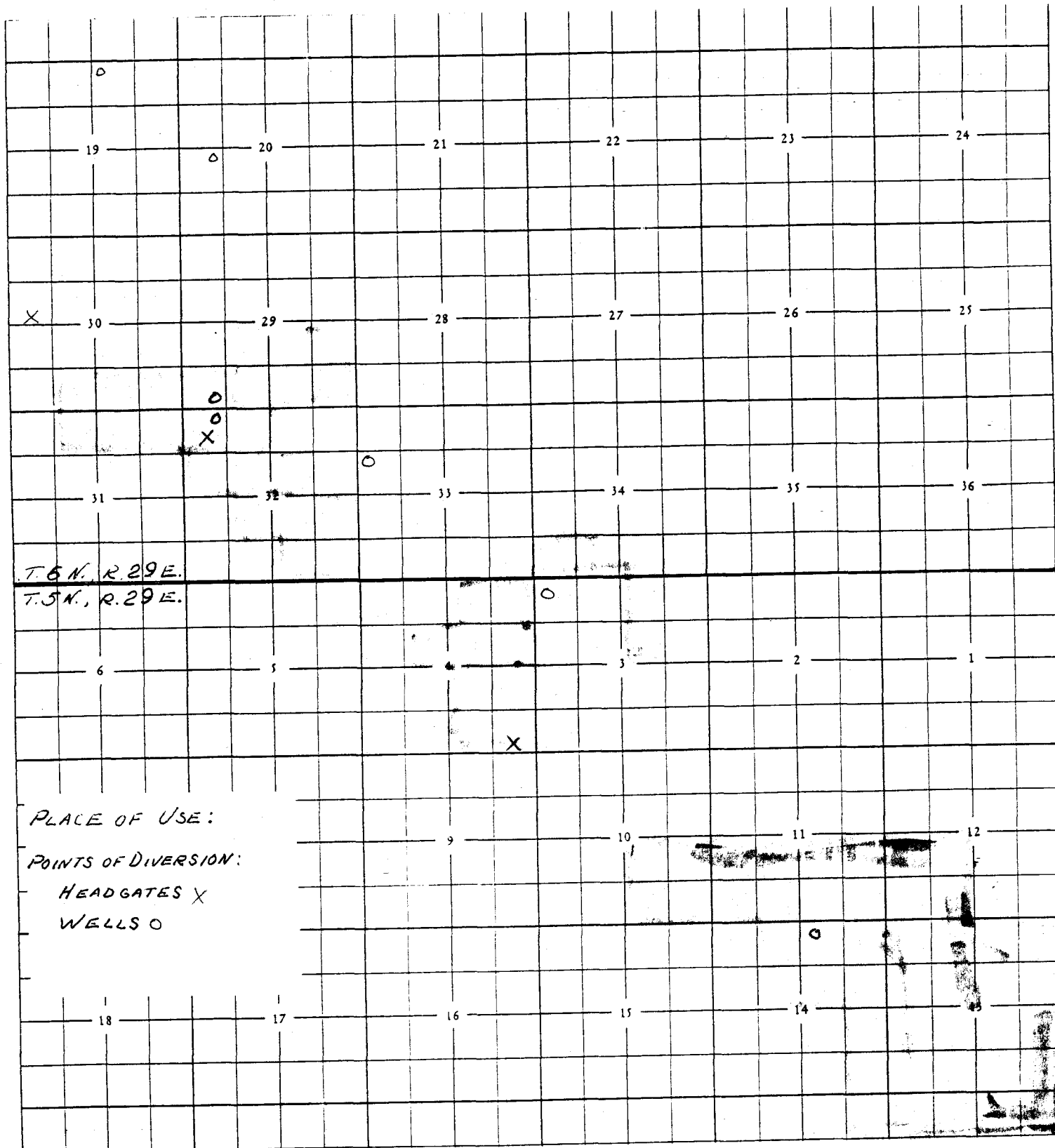
<u>RIGHT #</u>	<u>RIGHT #</u>
33-2014	33-0029
33-2056	33-0030
33-2065	33-0031
33-2066	33-0032
33-2093	33-0033
33-2108	33-0034
33-2113	33-0035
33-2117	33-0036
33-2126	33-0039
33-7015	33-0040
33-7027	33-0041
33-? (expansion of groundwater licenses under Idaho Code §42-1416(2))	33-0042
33-0002	33-0043
33-0003	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.

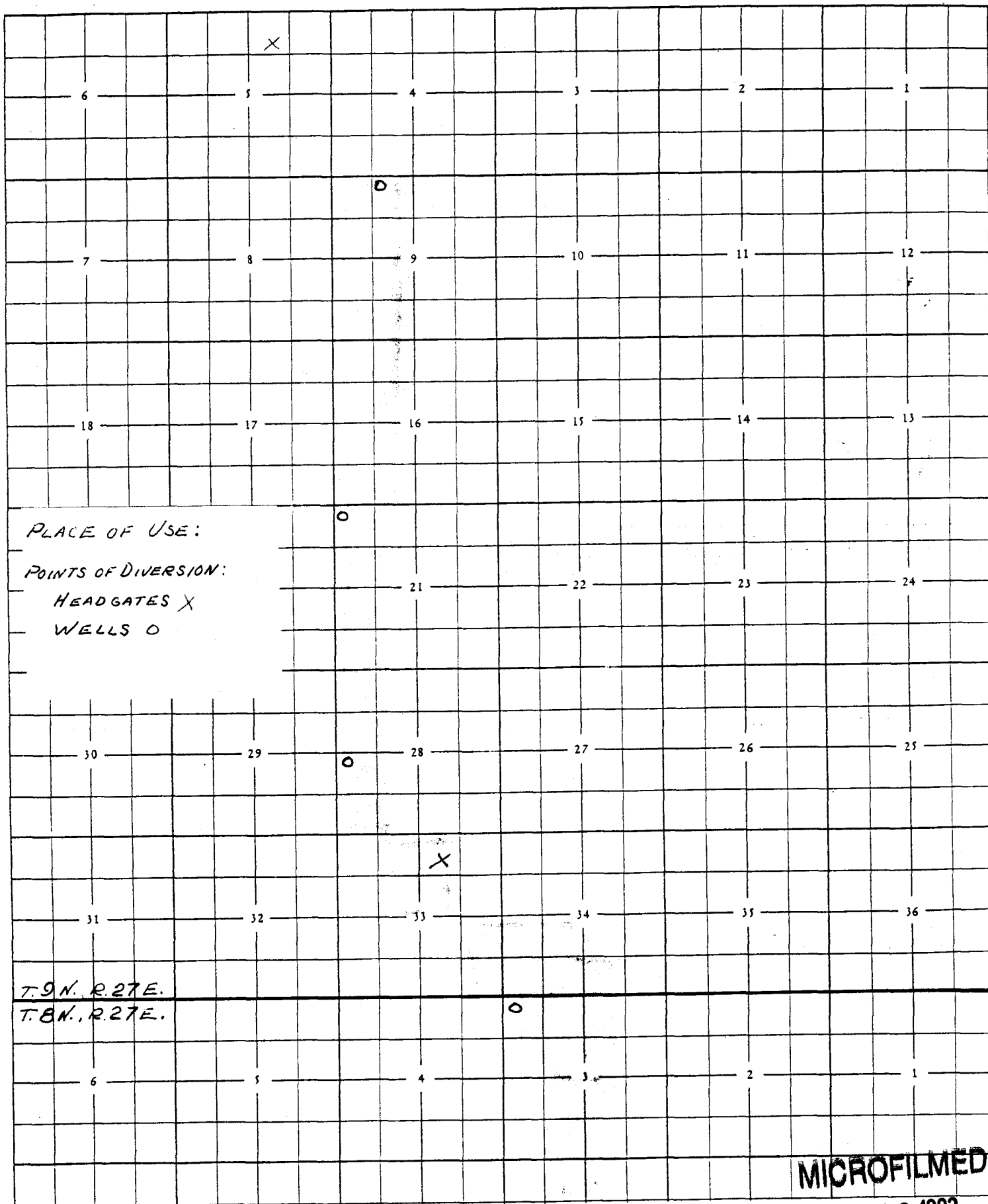
5676h/srr

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