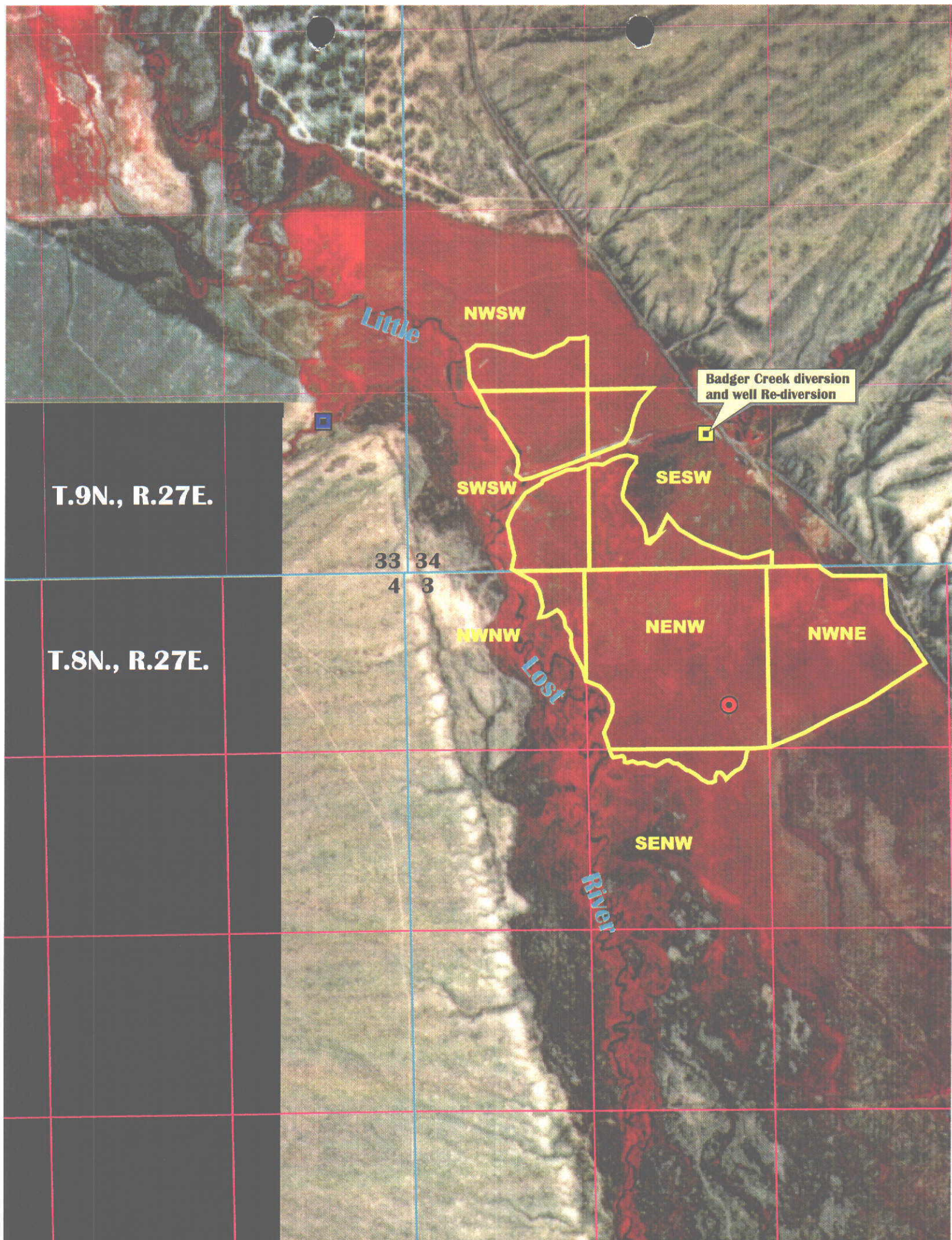




28 27

33 34

Pancheri, Inc. Badger Creek Ranch

NWSW

6

SWSW
9

SESW
14

33

34

4

3

4

NWNW

NENW
38

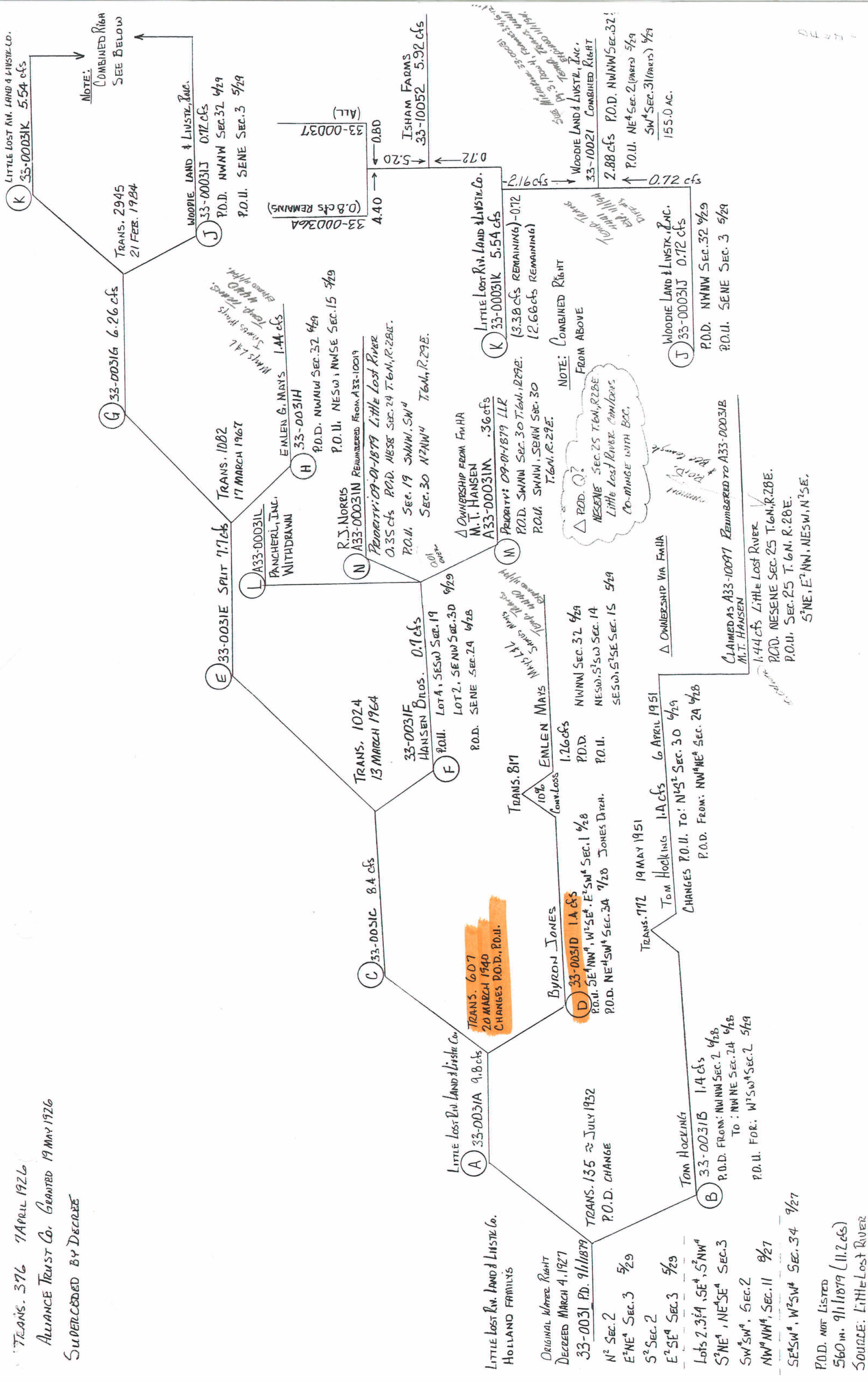
NWNE
24

3

SENW

98 AC

TRANS. 376 7 APRIL 1926
ALLIANCE TRUST CO. GRANTED 19 MAY 1926
SUPERCEDED BY DECREE



12 Oct. 95
ABR

BADGER CK RANCH
UPPER DIVERSION ON
LITTLE LOST RIVER
OF BADGER CREEK RIGHT

Looking EAST

PANCHERI INC.

Looking NORTHWESTERLY

← HANNEY Mtn.

← Exchange and
Little Lost River
Exchange Facility

← LITTLE LOST RIVER

12 Oct. 95
ABR

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

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

THIS AREA IS ON THE NORTH
SIDE OF BADGER CREEK.

PANCHERI INC.
33-00035A

Photos Taken: 12 Oct 95 ABR



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 UNSERVICEABLE 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 CR CLAIM A33-10119. NO LONGER USED.

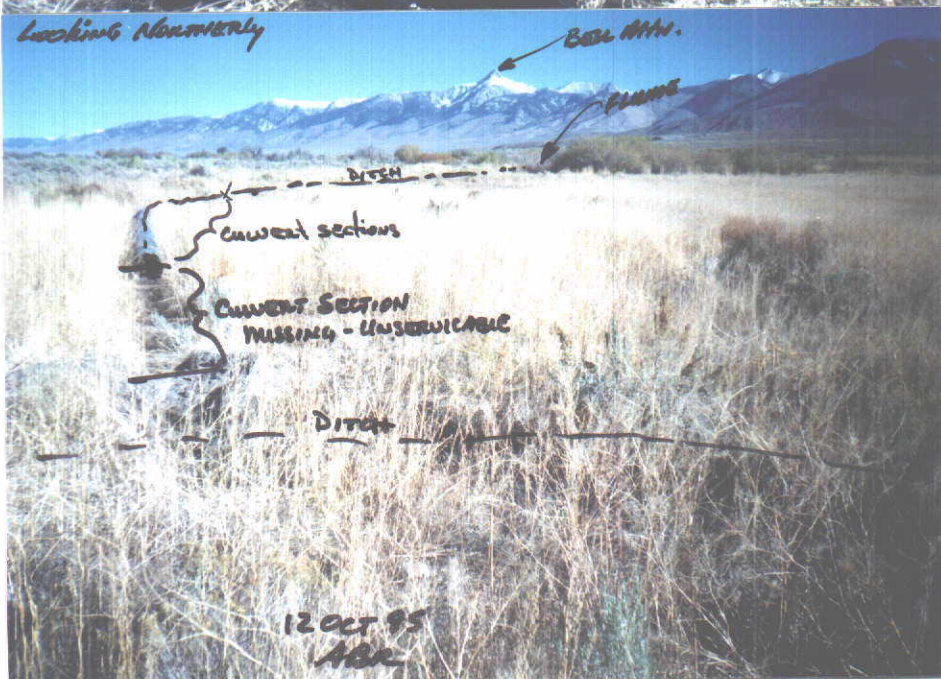


Photo 3. SHOWS THE OLD DITCH AND CULVERT SECTIONS WHICH ONCE CONVEYED BADGER CREEK WATER (AND LITTLE LOST RIVER EXCHANGE WATER) TO THE AREA NOW CLAIMED AS SERVICED BY DEER CREEK WATER. SEE A33-10119.

PANCHERI INC.
33-00035A

Photos taken:
12 Oct 95 ABR

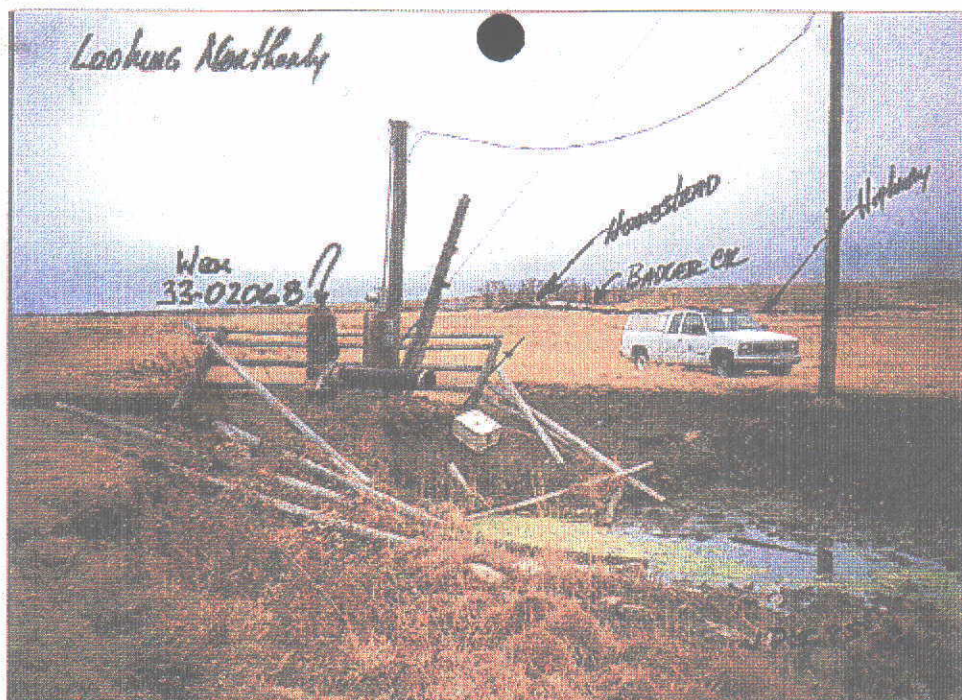


Photo 1. Well 33-02068, AS O.
12 DEC. 95 NO ADJUDICATION CASE
HAS BEEN FILED. PANCHERI AND
K. FOSTER (ATTORNEY) HAVE BEEN IN-
FORMED.

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

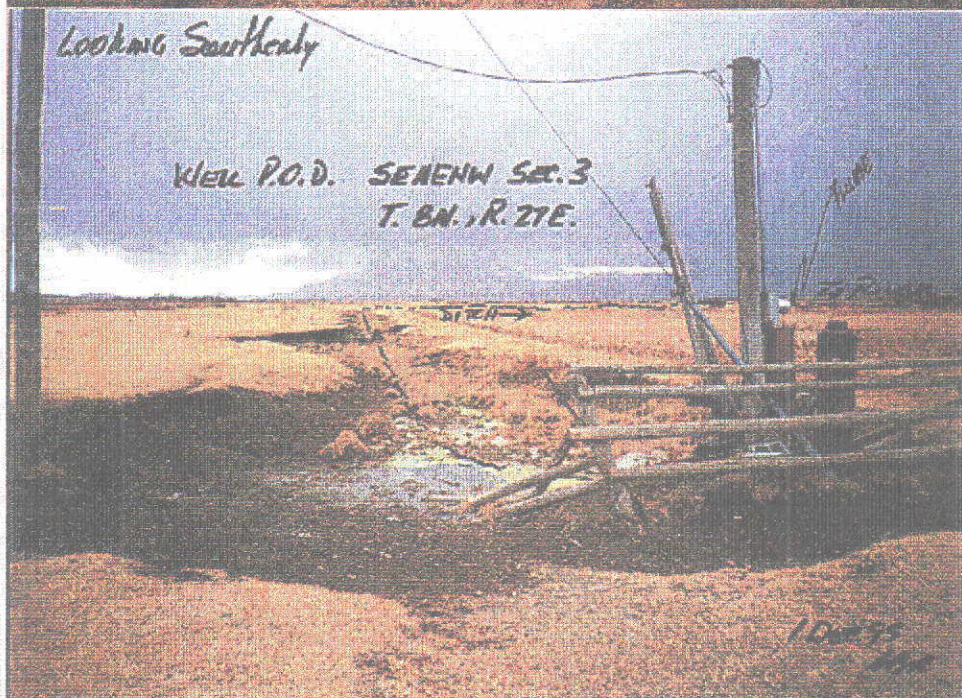


Photo 2. Looking South
DOWN THE DITCH TO RIVER.

MOTOR: GE 30 HP
SN: XGJ6874210

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

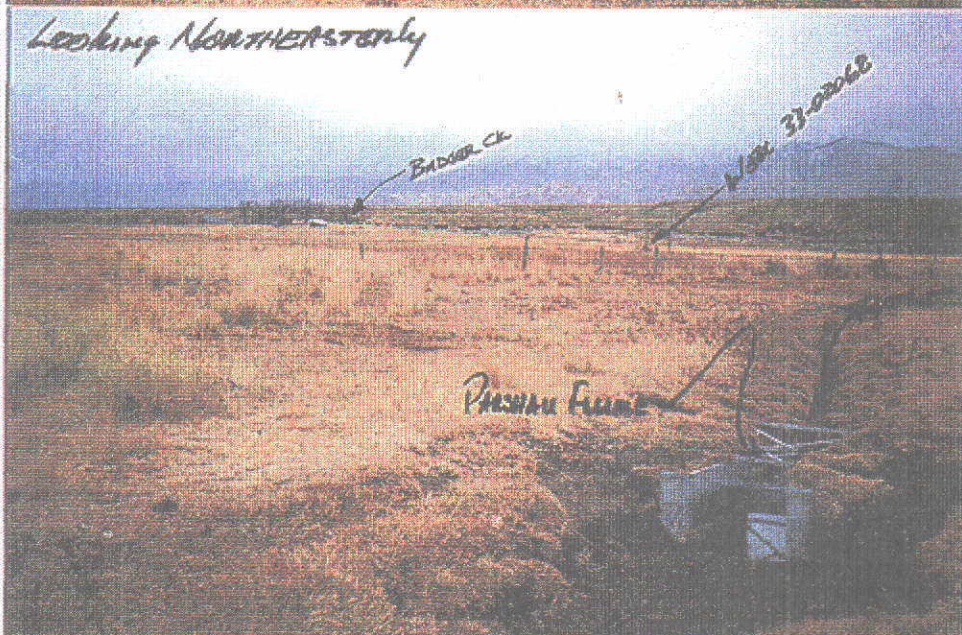


Photo 3. PARSHALL FLUME WHICH
MEASURES WELL OUTPUT. FLUME
APPEARS LEVEL AND IN GOOD CONDIT.

PANCHERI'S BADGER CR RANCH

33-02068
WELL NON-ADJUDICATED

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
JAMES K. SLAVENS

WEST ONE BANK
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

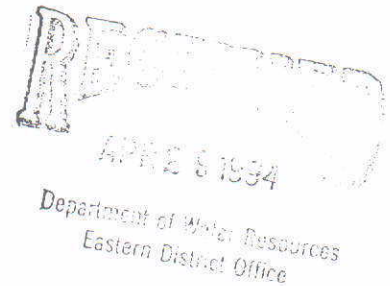
BOISE OFFICE

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 DUE POWDS
THAT HAD BEEN MADE w/o
BUREAU 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.

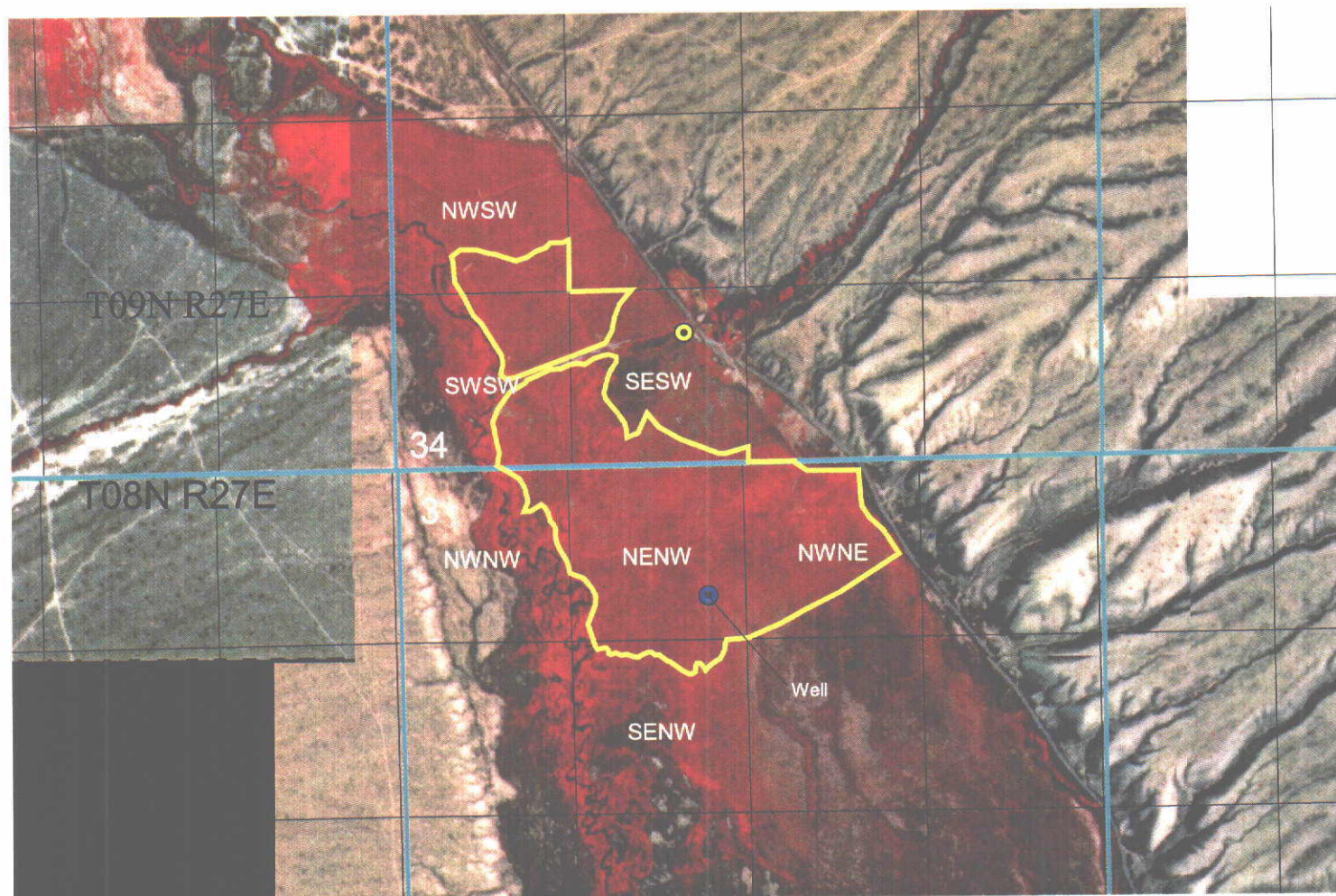
As Mr. Pancheri understands the prior use made and observed by Van Wagner, Deer Creek water was used physically, and through exchange, on both sides of the river and Badger Creek water was used in the same way. The old flume, by means of which water could be taken across the river in either direction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



STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-35A



0 1320 2640 3960 Feet

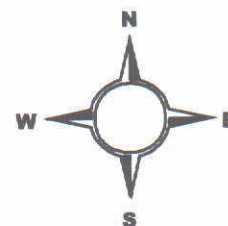
LEGEND

 Point of Diversion

 Place of Use

 Section Line

 Quarter-section line



Irrigated Acres = 105.9

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2001



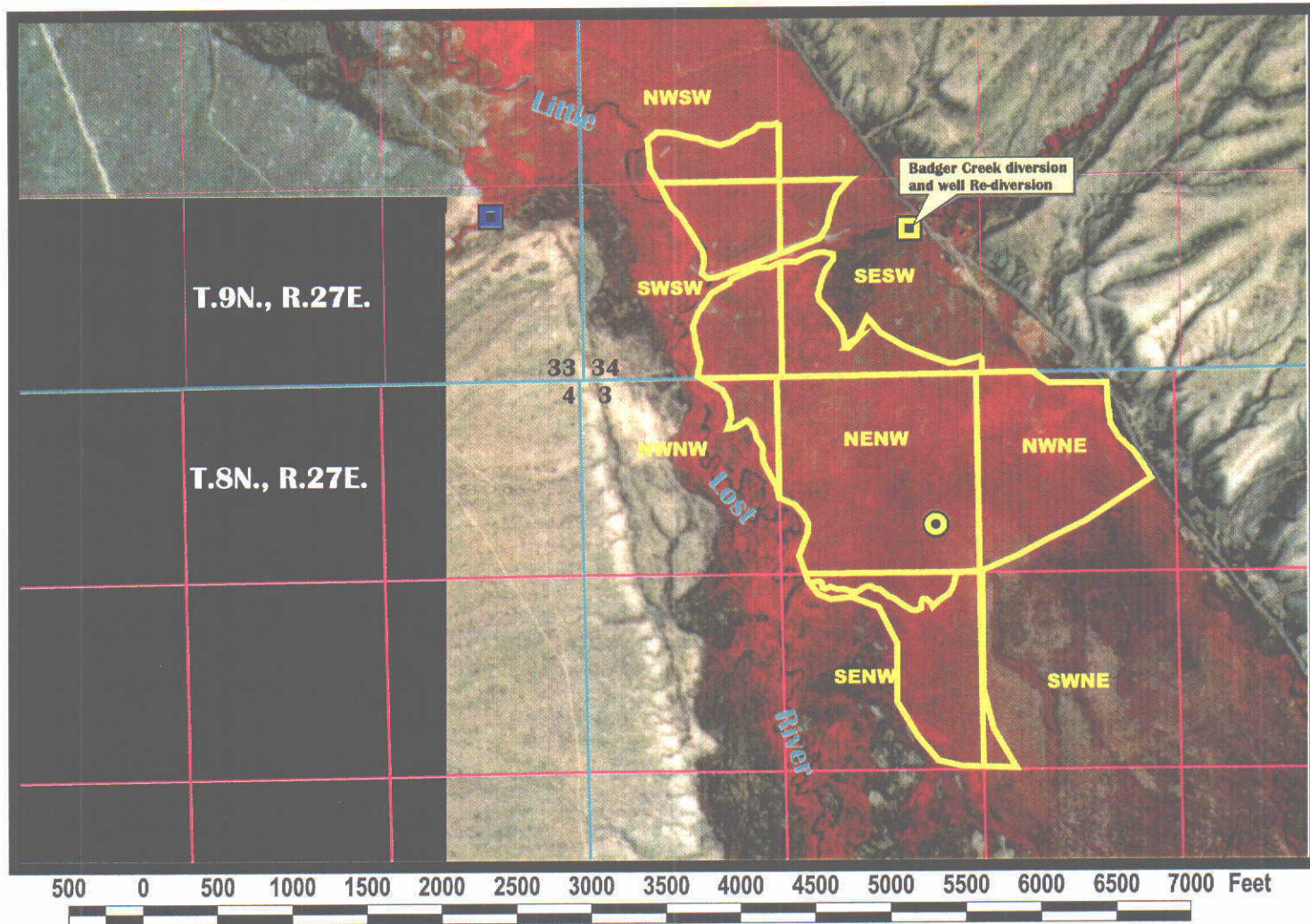
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-02068A, 33-00035A^{126.7}



LEGEND



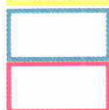
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



Quarter-section line

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

Sec. 34 (parts of) S2SW, NWSW,

T.8N., R.27E Sec. 3 (parts of) N2NW,

SENW, W2NE

Point(s) of Diversion: T.8N., R.27E.

Sec. 3 SENENW (well)

Sec. 3 NWSENW (injection)

T.9N., R.27E. Sec. 34 NESESW

(well redirection and Badger Ck diversion)



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



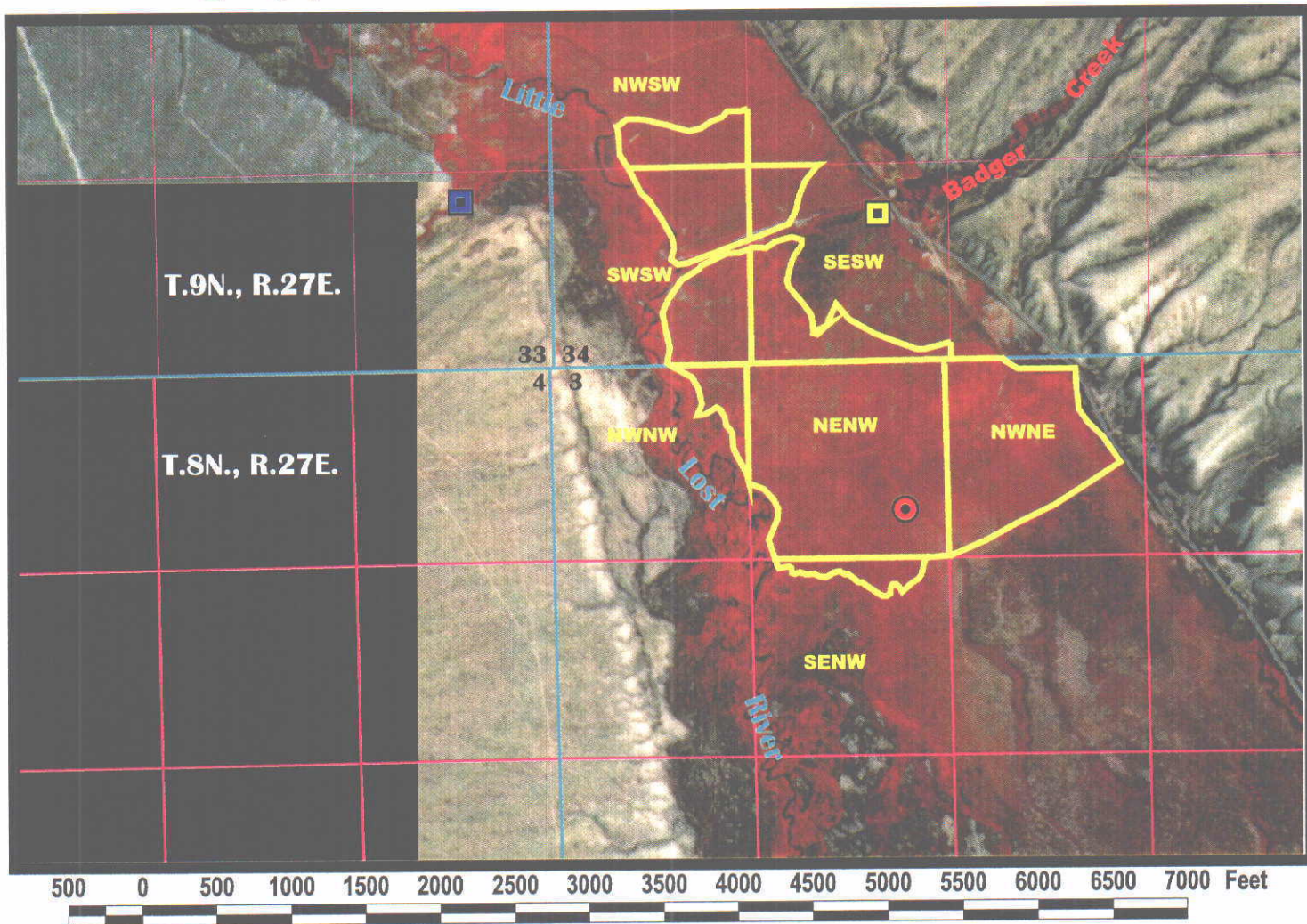
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00035A ^{105.9}

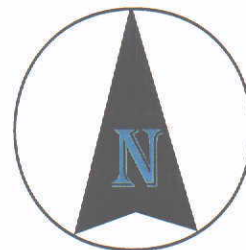


LEGEND

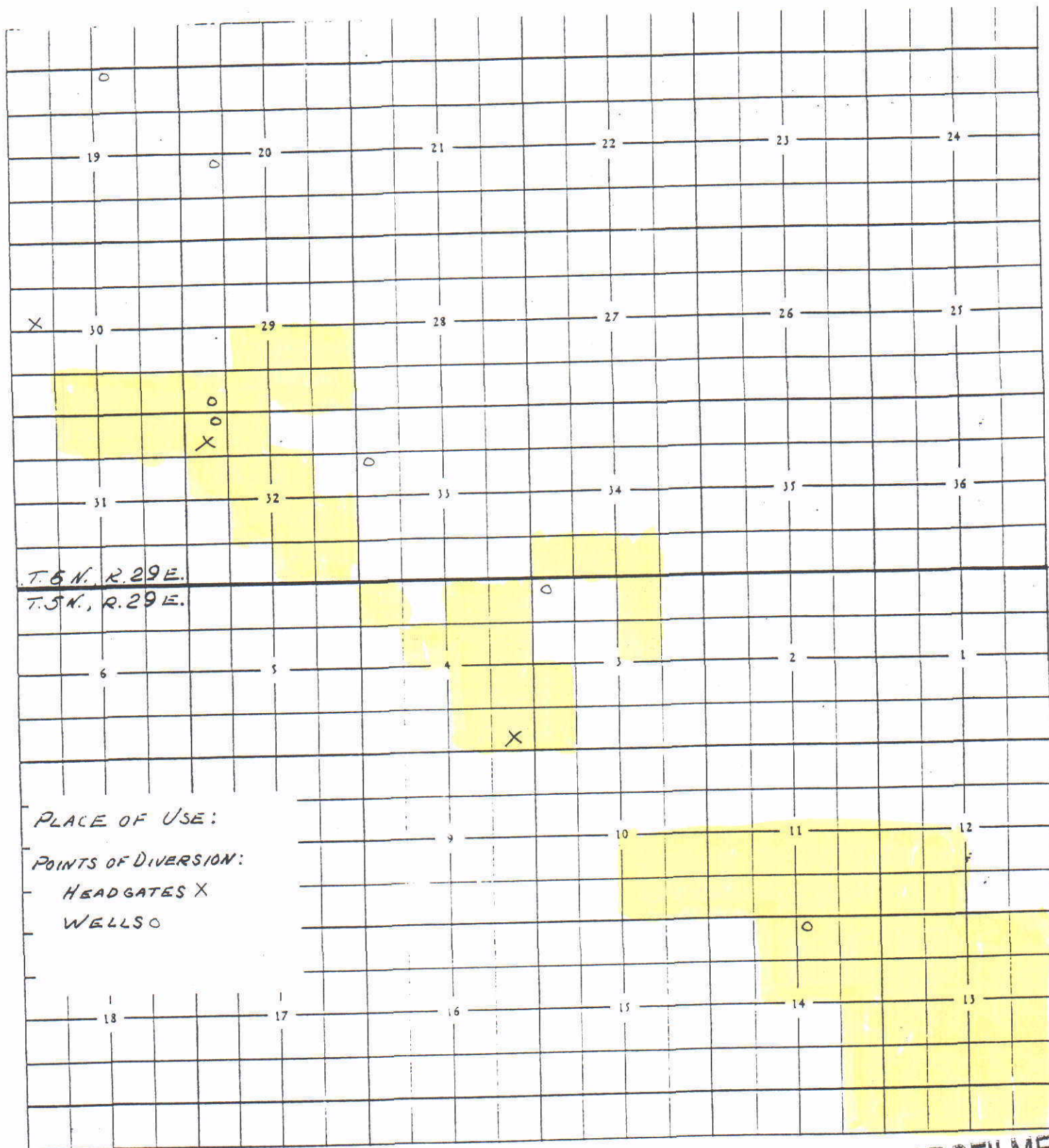
-  Point of Diversion- GW
-  Point of Diversion- SW
-  Place of Use
-  Section Line
-  Quarter-section line

Place(s) of Use: T.9N., R.27E.
Sec. 34 (parts of) S2SW, NWSW,
T.8N., R.27E Sec. 3 (parts of) N2NW,
SESW, NWNE

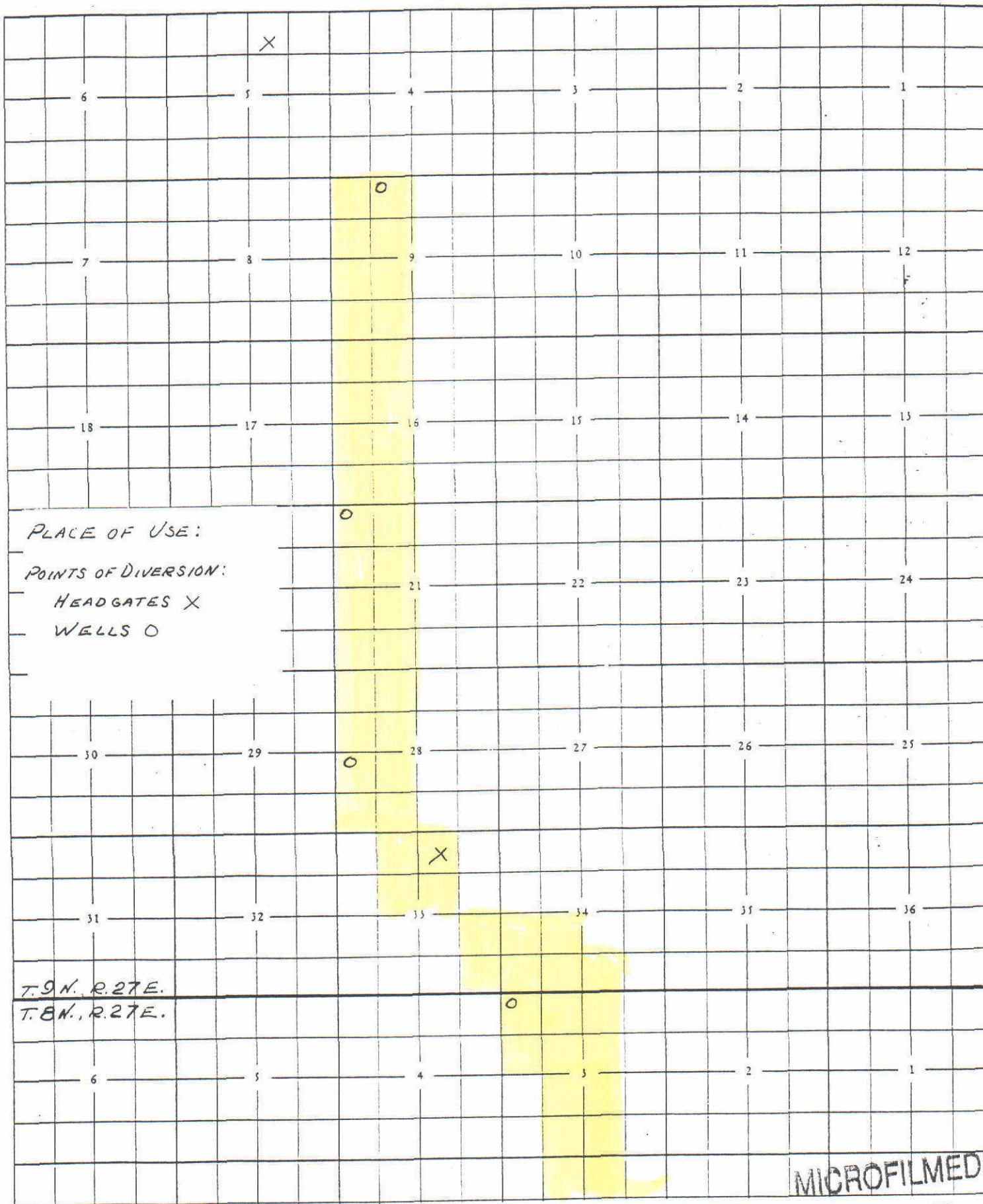
Point(s) of Diversion:
T.9N., R.27E. Sec. 34 NESESW
(well redirection and Badger Ck diversion)



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



MICROFILMED
NOV 18 1992



MICROFILMED

NOV 18 1992

2002 MAY -1 AM 9:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**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

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 33-00035A

On March 8, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 33-00035A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2002



ROGER S. BURDICK

Presiding Judge
Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

Water Right 33-00035A

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

PAGE 1
Mar-07-2002

2002 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 33-00035A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 33-00035A was mailed
on May 01, 2002, with sufficient first-class postage prepaid
to the following:

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

PANCHERI INC
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/01/02

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 Easter

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

Deputy Clerk
Deputy Clerk

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 33-00035A

(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 F. 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:

Done
SFS
✓ 6 mm = Vicky
✓ No GRS Road

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: _____

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: See attached

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 POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

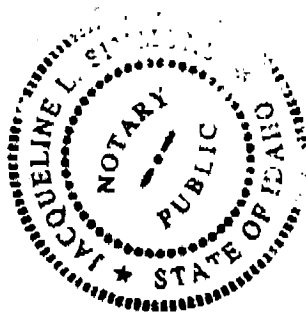
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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, knew 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:

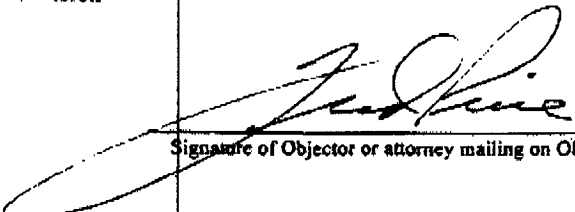
Address:

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

AUS856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-23-2000
PAGE: A-1

RIGHTS FROM: SOURCE: BADGER CREEK TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00035A

NAME & ADDRESS: PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOME ID 83244

SOURCE: BADGER CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.72 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02068A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS.

PRIORITY DATE: 03/06/1907

POINT OF DIVERSION: T09N R27E S34

NESESW

Within BUTTE County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 11-01QUANTITY
0.72 CFSPLACE OF USE: IRRIGATION
T09N R27E S33
T09N R27E S34
98 ACRES TOTAL

Within BUTTE County

NENE 24 BLM
NWSW 6NENE 32 BLM
SWSW 9SWSW 14 BLM
SESW 14

SESW 14 BLM

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 98 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 123 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02068A, 33-10997.

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 42-1425, IDAHO CODE.Issue:

Places of use on BLM

→ Farming on public land is not authorized

AJS856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-19-2001
PAGE: A-3

RIGHTS FROM: SOURCE: BADGER CREEK

TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00035A (CONT)

EXPLANATORY MATERIAL: (CONT)

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

THIS SOURCE CAN BE USED AS AN EXCHANGE SOURCE WITH RIGHT NO. 33-02068A WHEN THE PRIORITY OF THIS RIGHT IS CUT. EXCHANGE IS BY INJECTION OF WATERS FROM RIGHT 33-02068A INTO LITTLE LOST RIVER AT THE POINT OF INJECTION AND REDIVERSION DEFINED IN 33-02068A.

EXCHANGE OF AN EQUAL QUANTITY FROM THIS SOURCE AT THE POINT OF REDIVERSION.

NO LOSS IS TO BE ASSESSED. THE LOCATION OF THE POINT OF INJECTION BEING DOWNSTREAM FROM THE POINT OF REDIVERSION.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2000

PANCHERI INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer #5797 (33-10997) and overlapping rights
(33-00035A, 33-02068A) and Notice of Administrative Proceeding
(NAP)

Dear Mr. Foster:

On July 14, 2000, the Idaho Department of Water Resources (IDWR)
received an Application for Transfer for the above referenced water
right(s).

In response to the Application, this office is sending the enclosed NAP
to the SRBA Court and other parties listed on page 2 of the form. The
intent of this mailing is to notify those parties of the requested change.

Please feel free to contact me if you have any questions concerning this
matter.

Respectfully,


Jennifer Crabtree
Technical Records Specialist

Enclosure

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	)	Water Rights: 33-10997 &
	)	OVERLAPPING RIGHTS 33-00035A, 33-02068A
Case No. 39576	)	NOTICE OF ADMINISTRATIVE
	)	PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5797

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: AUGUST 8, 2001

DATED: 14 Aug 2000

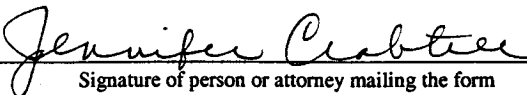


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
PANCHERI INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
KENT FOSTER
(SEE ABOVE)
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

A33-00035A

PANCHERI INC
C/O JERRY PANCHERI
HOWE, ID 83244

☐ Do THIS CLAIM WITH THE WELL 33-02068
AND A33-00032A

Bacare de Romen

Bacare de Romen

(R)

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: 33-00035A

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

Daytime Telephone Number:

Evening Telephone Number:

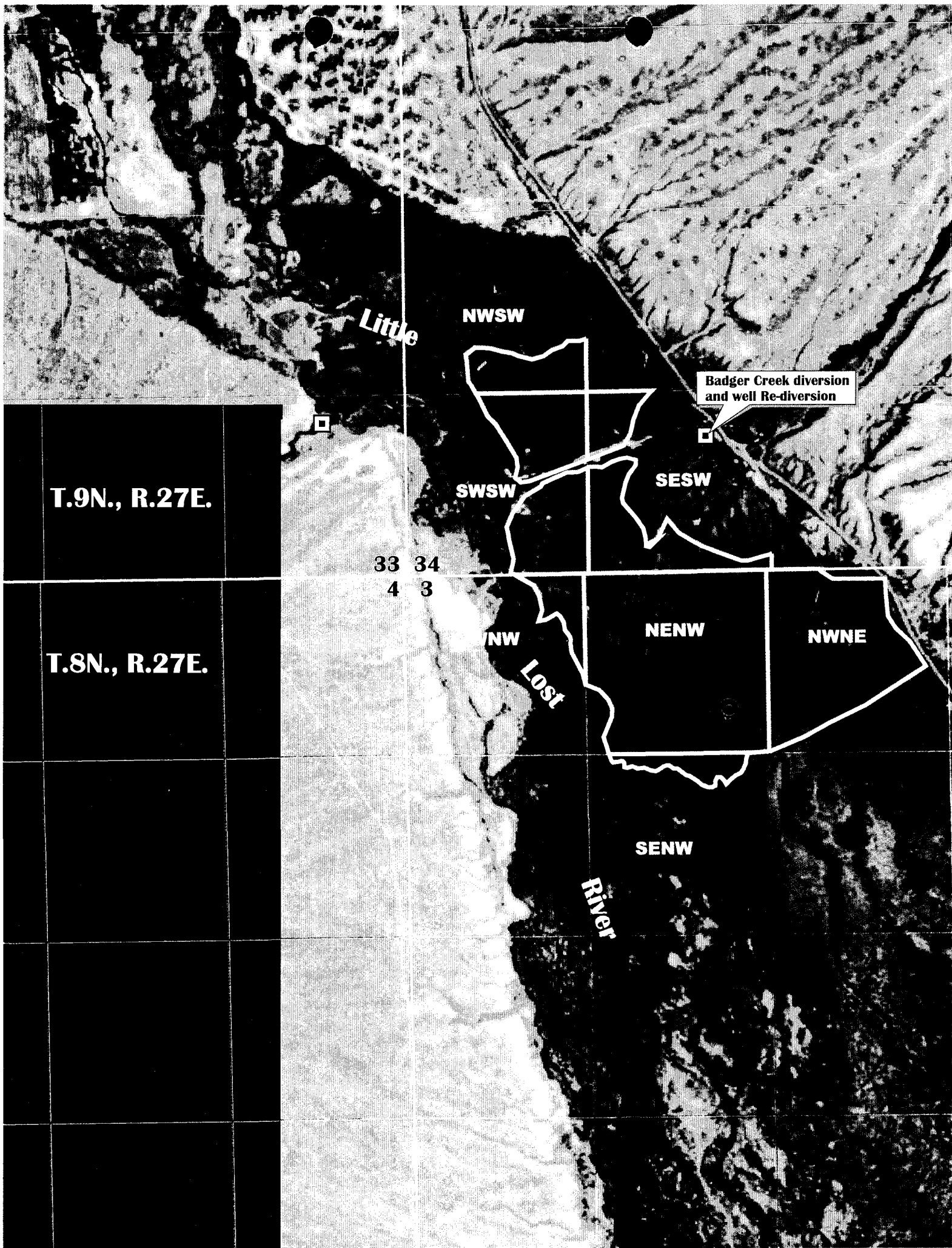
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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: Paul Pancheri
Please print your name: _____



28 27

33 34

Paneheri, Inc. Badger Creek Ranch

6



SWSW

SESW

9

14

33

34

4

3

4

NWNW

NENW

NWNE

38

24

3

SENW

98 AC

To: File A33-02068A, A33-00035A
Fr: Bryce A. Contor
Date: 12/1/1999

Re: BLM trespass
Conveyance Loss

BLM Trespass

Parts of historical POU of these rights is trespass on BLM land. Al and I discussed possibility of recommending this trespass acres. While BLM would likely object, this provides an opportunity to transfer acres to other POU.

In reviewing the files, however, I came across a letter from Deena Teel of BLM to Jerry Pancher dated 7/6/1999. Pencilled on the top of the letter is the note "10/1/99 Talked w/ Jerry Pancher. Omit BLM lands on recommends."

Based on the above, I left the recommendations only on Pancheri lands.

Conveyance Loss

We have been including a remark about conveyance loss on exchange wells, including right 33-02068B which is diverted out of the same well as 33-02068A. However per note in CVR, this exchange has not been historically charged a conveyance loss as the point of injection is downstream of the point of redirection. While the CVR does not mention it, no intervening diversions exist that might otherwise be injured by this arrangement.

Therefore, no remark about conveyance loss is attached to these recommendations.

From: DWR03::SCURTIS 28-DEC-1995 16:19:11.52
To: DWR70::ARUBERRY
CC:
Subj: Trans. #607

Al, Shelley asked me to send you an update on progress concerning the reference of Trans. #607 in File 33-00035. Shelley had given me the memo and attachments you sent to him Dec. 4. While I have not yet removed all paper trails of this transfer from that file, nor have I asked Darla to make the associated changes to the microfilm jacket, ~~I did determine that Trans. #607 has nothing to do with Right~~ 33-00035.

I'm not sure what happened to lead someone to believe that the transfer was related to this file, but all indications are that it was an error. I apologize for not getting back to you sooner to let you know you were correct in your assumption. When time permits, I will take care of the removal of all references of the transfer in File 33-00035.

Sharla

MEMORANDUM

28 NOVEMBER 1995

TO: S.W. KEEN

FROM: A.B. RUBERRY

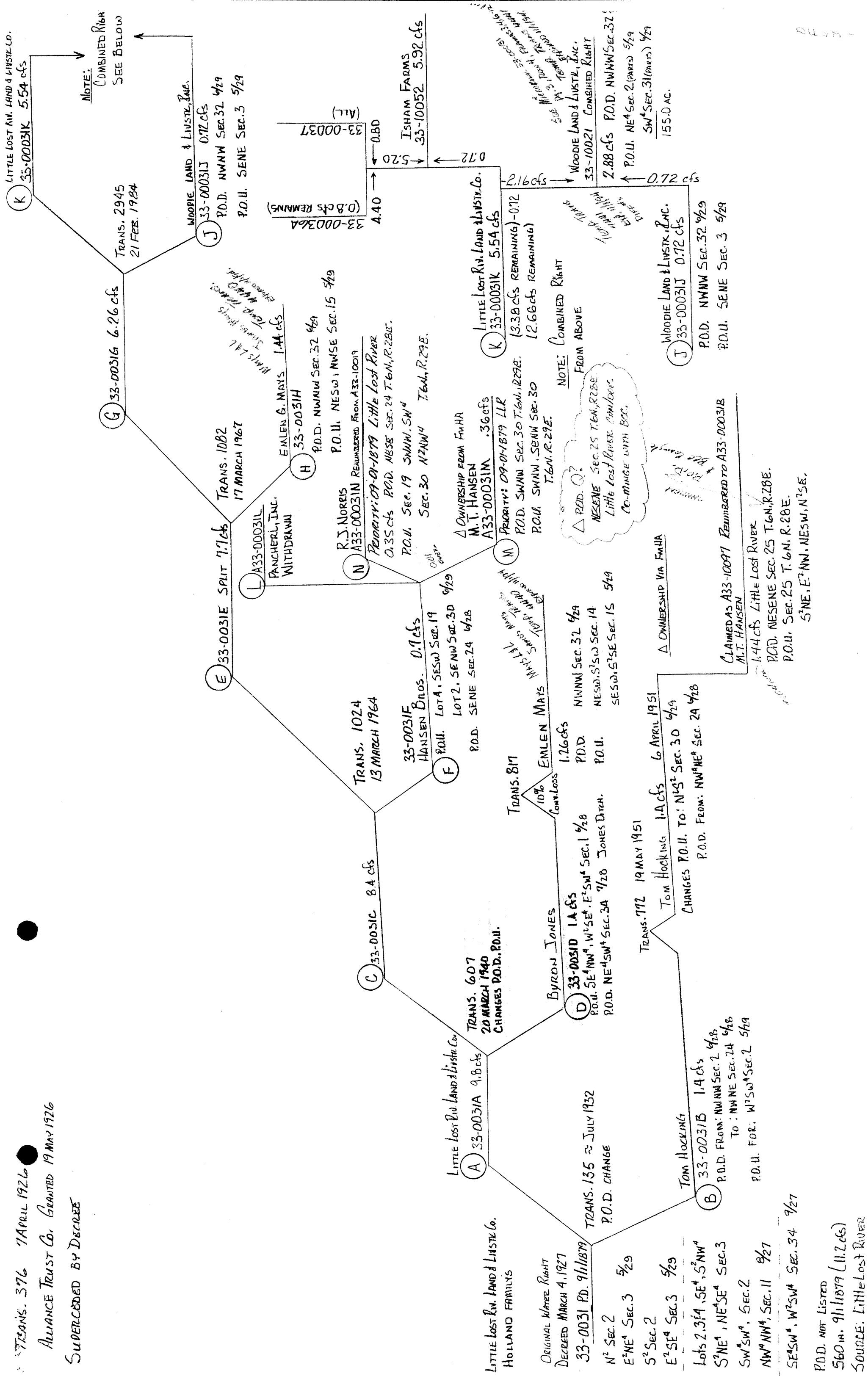
SUBJECT: MICROFILM FOR 33-00035

THROUGH RESEARCH OF DECREED RIGHT 33-00035, I HAVE FOUND IN THE MICROFILM REFERENCE TO TRANSFER NO. 607, DATED 20 MARCH 1940. FURTHER, REVIEW OF THIS TRANSFER LEADS ME TO THE CONCLUSION THAT TRANSFER NO. 607 HAS NOTHING TO DO WITH DECREED RIGHT 33-00035.

IN THE MICROFILM FOR 33-00035 THERE IS A HAND WRITTEN NOTE WHICH MAKES REFERENCE AS: "SEE 33-00031 FOR CORRESPONDENCE TO TRANSFER NO. 607." REVIEW OF THE DOCUMENTS FOUND IN THE MICROFILM FOR 33-00031 MAKE NO SPECIFIC REFERENCE TO 33-00035.

SPECIFICALLY, MENTIONED IN THE TRANSFER IS THE PRIORITY DATE AND DIVERSION AS: 1 SEPTEMBER 1879, FOR 1.4 CFS FROM THE LITTLE LOST RIVER. THE BLAINE COUNTY INVESTMENT CO. vs R.G. MAYS DECREE (4 MARCH 1927) LISTS THIS PRIORITY DATE AND SOURCE AS 33-00031. THE ORIGINAL AMOUNT WAS FOR 560 INCHES (11.2 CFS). BUT, OVER THE YEARS SEVERAL OTHER SPLITS OF THIS RIGHT HAVE OCCURRED. I HAVE ENCLOSED A COPY OF THE SPLIT RECORD DIAGRAMMED FOR THE HISTORY OF DECREED RIGHT 33-00031. YOU WILL NOTICE THAT THE RIGHT GENERATED BY TRANSFER NO. 607 IS NOW REFERRED TO AS 33-00031D.

WHEATON'S. 376 7 APRIL 1926.
ALLIANCE TRUST CO. GRANTED 19 MAY 1926
SUPERCODED BY DECREE



12 Oct. 95
ABR

BADGER CK RANCH

UPPER DIVERSION ON

Little Lost River

Looking E

Looking Northwesternly

Harvest Mtn.

Elbow and
Little Lost River
Boggy

Photo 4. Shows Little Lost River
Exchange Diversion for the
Badger Creek Decided River

Photo 5. Shows Place of Use
of Badger Creek and LLR
Exchange Water.
This area is on the North
Side of Badger Creek.

Pantheri Rvc.
33-00035A

Photos Taken: 12 Oct 95 ABR



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).

Looking Westwardly



Photo 2. OLD UNSERVICABLE
FLUME CROSSING LITTLE LOST RIVER
(HIDDEN IN UNDERGROUNTH-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 CR CLAIM
A33-10119. NO LONGER USED.

Looking Northwardly

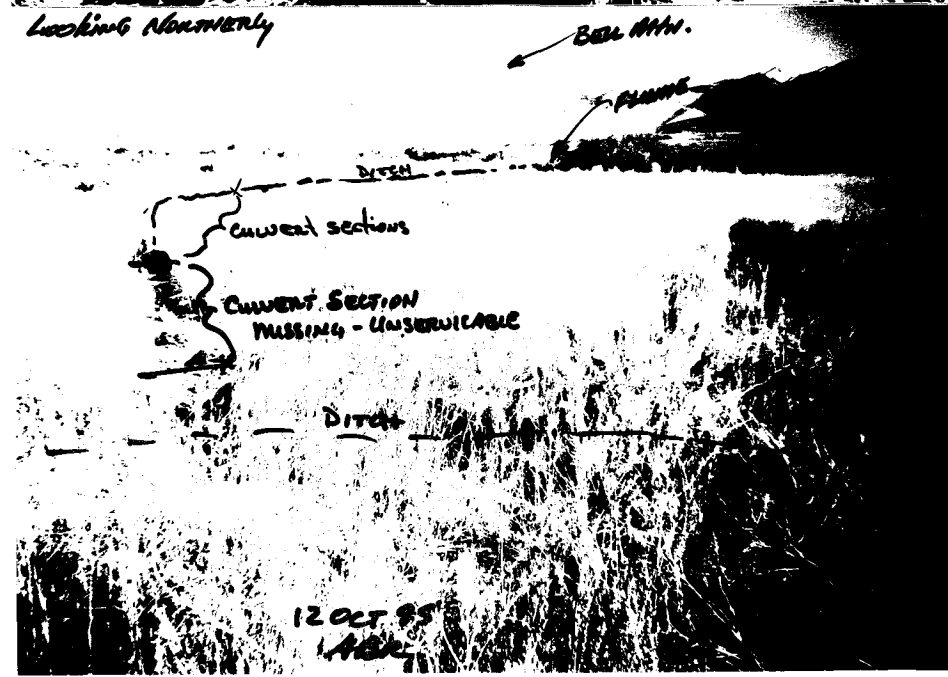


Photo 3. SHOWS THE OLD DITCH
AND CULVERT SECTIONS WHICH ONCE
CONVEYED BADGER CREEK WATER (AND
LITTLE LOST RIVER EXCHANGE WATER)
TO THE AREA NOW CLAIMED AS
SERVICED BY DEER CREEK WATER.
SEE A33-10119.

JANCHERI INC.
33-00035A

Photos taken:
12 OCT 95 ABR

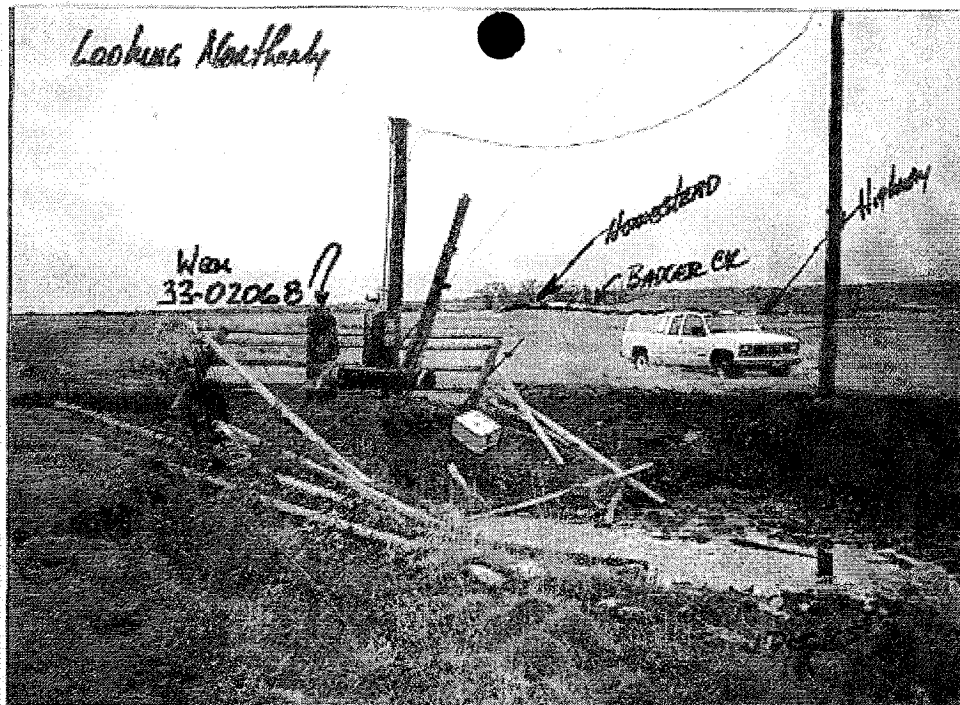


Photo 1. Well 33-02068, ASO
12 Dec. 95 NO ADJUDICATION CLAIM
HAS BEEN FILED. PANCHERI AND
K. FOSTER (ATTORNEY) HAVE BEEN IN-
FORMED.

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

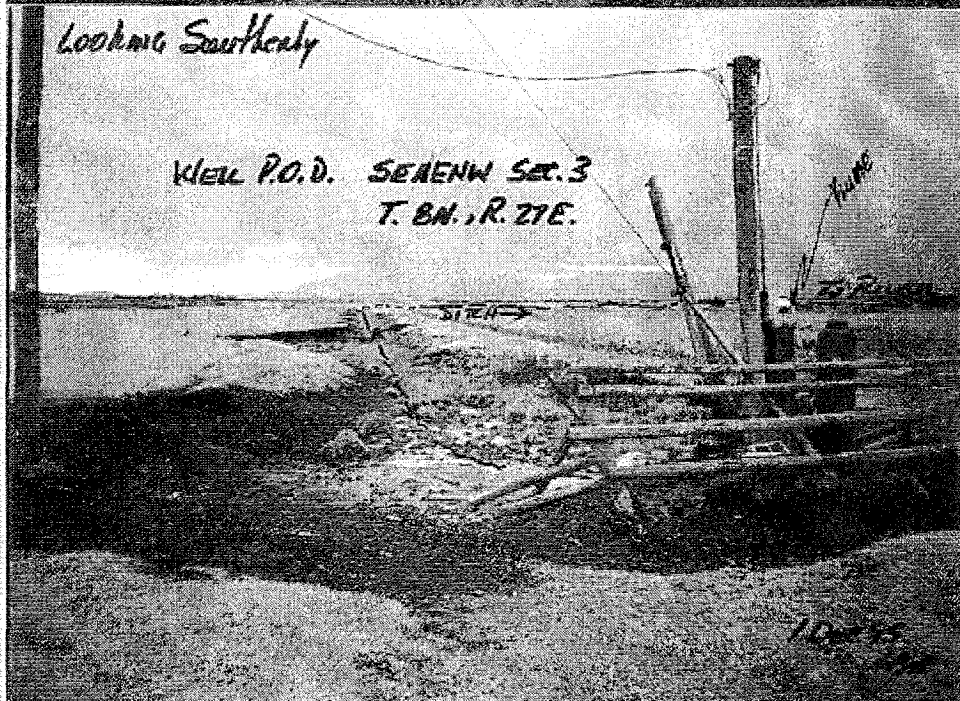


Photo 2. Looking South
DOWN THE DITCH TO RIVER.

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 CONDI

PANCHERI'S BROOKER CR RANCH

33-02068
WELL NON-ADJUDICATED

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
JAMES K. SLAVENS

WEST ONE BANK
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

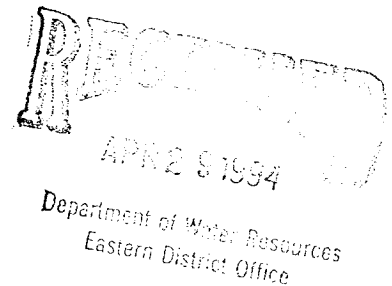
BOISE OFFICE

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 QUOTE POWERS
THAT HAD BEEN MADE w/o
BUREAU 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.

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.

that he has always delivered 0.40 cfs to Oar. It is possible that Pancheri and Oar each own one-half or 0.20 cfs of 33-0090E. It is recommended that 0.40 cfs continue to be delivered to Oar unless both Oar and Pancheri can confirm to the watermaster and IDWR the proper ownership of this right. SRBA claims should be amended if necessary.

A33-00084 Pancheri, Inc.

03/14/1891

*DELIVERED WITH
33-00085*

COMMENTS: This right was decreed from Sawmill Creek for 4.2 cfs. Transfer no. 128 which the State approved in 1914 involved a place of use transfer along Sawmill Creek and confirmed that the point of diversion was from Sawmill Creek some seven to eight miles above the confluence of Sawmill and Summit Creeks. At some time after the decree and prior to 1987, this right was informally transferred to Wet Creek and charged a constant 50% loss. This right is still diverted from Wet Creek with the constant 50% loss. No change is recommended in the current delivery of this right. The 50% loss should still be charged and no rotation or transfer of this right back to Sawmill Creek or anywhere else should be permitted by the watermaster until either a transfer application is approved by IDWR.

A33-10063

Leo Amy

04/01/1891

SEE A33-000910

COMMENTS: No water right can be found that matches the priority date and rate of diversion given for this SRBA claim. Watermaster also has not provided information regarding this claim. The claim is not deliverable until the owner amends the claim and properly identifies the correct right. Watermaster records should lend merit to any amended claim before any delivery is considered.

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.

A33-00083

Marc Hansen

06/01/1891

A33-00083A

R. Norris

COMMENTS: Right 33-00083 was decreed from Badger Creek for 0.70 cfs but since sometime prior to 1987 the right has been split and diverted from the Little Lost River above Howe. Hansen and Norris each own half of the original right and are charged 20 percent loss. No change is recommended in delivery except where Norris

DATE: 4/20/93

STREAM: Badger Creek

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. 33-0032 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.

→ Aug 35

Also, maybe
318
339

David says
3 rights are
Badger is the
only one

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PancherCLAIM DENT. NO. A33-00035ADATE RECEIVED 1/11/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
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. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A ☒ NO *
- Is the consumptive use correct? ☐ YES ☒ NO N/A ☒ NO *
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. ☒ YES ☐ NO N/A ☒ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
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.) ☒ YES ☐ NO N/A ☒ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A ☒ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt ☒ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A ☒ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: PCDate: 2/16/90Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)Receipt Prepared by: PCClaim data entered by: PCSent to claimant by: PCDate: 2/16/90Date: 2/16/90Date: 2/16/90

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

NOV 18 1992

33-0035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 607.

PRIORITY DATE
SHOWN IDENTIFIES
ONLY 33-00031,
(PART).

THIS IS TO CERTIFY that HYRON W. JONES, of Howe, Idaho, is the owner of and using certain water right, bearing date of priority of September 1, 1879, for 1.4 cubic feet per second of the waters of Little Lost River, in the County of Butte, said water being decreed to Little Lost River Land & Livestock Company by decree of Judge Ralph Adair, of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT CO.

vs..

ROBERT C. MAYS, ET AL.,

said decree bearing date of March 4, 1927, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 9, in the County of Butte, State of Idaho, to-wit:

East half of the Southeast quarter ($\frac{1}{2}$ SE $\frac{1}{4}$), Sec. 2, Twp. 5 No.,
Rgs. 29 East, Boise Meridian.

THAT THE SAID DECREE HAS been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, Page 86.

THAT THE SAID Applicant has become the owner of the said land and water right by deed.

THAT NOW, UPON THE APPLICATION of HYRON W. JONES, of Howe, Idaho, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.4 cubic feet per second of the waters of Little Lost River, upon the lands above described, is HEREBY ABANDONED and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this certificate, for irrigation and domestic purposes, are described as follows:

Southeast quarter of Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), West half of Southeast quarter ($\frac{1}{2}$ SE $\frac{1}{4}$), East half of Southwest quarter ($\frac{1}{2}$ SW $\frac{1}{4}$), Section 1, Twp. 6 No., Rgs. 28 East, Boise Meridian,

situate, lying and being in the County of Butte, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.4 cubic feet per second of the waters of Little Lost River with date of priority of September 1, 1879.

THAT THE WATER RIGHTS, hereby transferred, have been diverted from the said Little Lost River at a point in the

Northwest quarter of Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 32, Twp. 6 No.,
Rgs. 29 East, Boise Meridian,

and conducted to the lands first described herein through the Company Ditch and will hereafter be diverted from the

Northeast quarter of Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 34, Twp. 7 N.,
Rgs. 28 East, Boise Meridian

and conducted through the Jones Ditch.

DO NOT FILM

THAT THE RIGHT To the use of the water aforesaid, hereby confirmed, is restricted to the lands or places of use specifically set forth in this transfer, as provided by the laws of the State of Idaho.

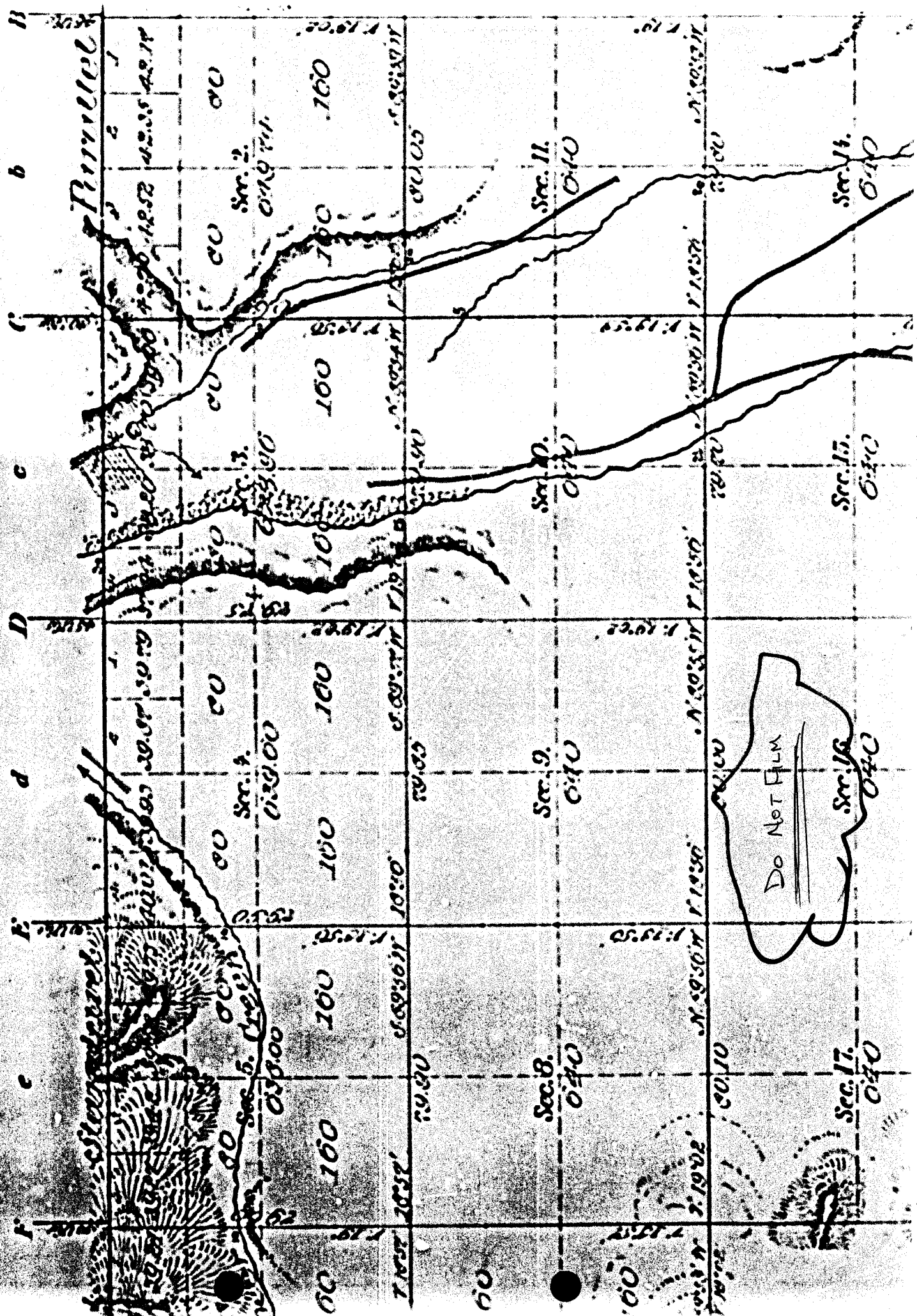
IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho, to be affixed at Boise, Idaho, this 20th day of March, 1940.

JAMES SPOFFORD,
Commissioner of Reclamation

O. D. Becker

By O. D. BECKER,
Supervisor of Water Distribution

V^o 8 North Range No 27 East of the Boise Mer



WR0749NP

No. 33-00035

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT PROFILE REPORT

DATE: 05/13/99

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE LOST RIVER LAND & LIVESTOCK CO.	03/06/1907	IRRIGATION	00/00 00/00	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	

Water Source: BADGER CREEK

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05N	29E	2	:	I		I		I		I		I		:	I		I		I		I		I		:
05N	29E	3	:	I				I						:					I				I		:
08N	27E	2	:											:			I								:
08N	27E	3	:		02-I		I		I	:	03-I	04-I	I	I	:	I				I	I	I	I	I	:
08N	27E	11	:							:	I			:											:
09N	27E	34	:							:				:	BLM	I	I	I	:			BLM			:

Pou County: BUTTE

Other Water Rights Listing Overlapping Place(s) of use:

33-00031J	33-00031L	33-00031M	33-00032	33-00033	33-00091E	33-02068	33-02070B	33-02116	33-02139B
33-07006B	33-07057B	33-07057D	33-07198	33-07210					

Remarks: GEN P/D & P/U INCOMPLETE.

Dates:	App. Received:	Priority Date:	03/06/1907
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 33 Field Exam Fee:

Audit: 07/15/85 05/22/88 CONVERT 02/06/98 CLEARFLD

00:00:11
08/24/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00035A

LAST: FOSTER
ADDRESS: HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-0620

FIRST: KENT W
STATE: ID ZIP: 83405

OWNER CODE: A

LAST: PANCHERI INC
ADDRESS: Z JERRY PANCHERI PRES
CITY: HOME
PHONE NUMBER: 208-767-3419

FIRST:
STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
FIELD EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: OTHER RIGHTS: 33-02014, 2056, 2065, 2066, 2093, 2108, 2113, 2117, 2126,
7015, 7027, 10109, 0002-13, 0024-36, 0039-47, 0065, 0068, 0033-03, 0087,
0058, 0090, 0052, 0108, 0109, 0110, 0115
CONFORMED ATTORNEY MAILING ADDRESS DMS

cc: COMMENTS

No CC at Room.
Contact FFE at
Sec. 33
Sec. 3
BN
27E

CONTACT PERSON: A. Rosenberg

PHONE NUMBER: ()

DATE OF FIELD EXAM: 12-13/01/95

APPOINTMENT MADE: Y () N ()

TIME: 11:00 A () P ()

CONTRACT NO. 100

PHONE NUMBER: ()

RELATIONSHIP TO CLAIMANT: Owner, Pros.

DIRECTIONS TO PROPERTY / NOTES:

Met J. Buchanan @ 1100 am on 12 Oct. 95. Discussed Susan's book. Susan wrote 1985,

LANDS AND OTHERS. Field exam 12-13 Oct. 95.

Sheila Morrison re/ Howard E. K. Foster, H. Jones, B. Cronson, A. Rosenberg

Discussed innig Buchanan's. Watson used etc.

A. AJ CLAIM: # A33-00035A PRIORITY DATE: 03-06-1907 STAGE: D

B. WR RECORD: # 33-00035 PRIORITY DATE: 03-06-1907 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(✓) N()

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

Y() N(✓)

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

Y(✓) N()

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

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

N/A()	Y()	N()
N/A()	Y()	N()
N/A()	Y()	N()
N/A()	Y()	N()

DISCREPANT 4 March 1927

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y() N(✓)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(✓) N()

NOTES:

*PRIORITY CLAIMED MATCHES DISCREP*RECOMMENDED PRIORITY DATE: *As claimed*

03-06-1907

REVIEWED BY

SP. K. L...

DATE

*23 Nov 95**SRIS DISCUSSION ON PG. 549*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-00035A	05N	29E	4	SE	SE	SE			BUTTE		
A33-00035A	06N	29E	30	SW	SW	SW			BUTTE		
A33-00035A	06N	29E	32	NW	NW	NW			BUTTE		
A33-00035A	09N	27E	5	NW	NW	NW			BUTTE		
A33-00035A	09N	27E	33	NW	NW	NW			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD

- A PREFIX
- * PREFIX
- R33-00031M
- R33-00042
- R33-00043
- R33-00048B
- R33-00049B
- R33-00050B
- R33-00083C
- R33-00097D
- R33-00100
- R33-10079
- R33-10112

WR RECORDS IN SAME 40 ACRE TRACT

- 33-00028
- 33-00029
- 33-00030
- 33-00031D
- 33-00031H
- 33-00031J
- 33-00086
- 33-00097D
- 33-00100
- 33-02010
- 33-02056
- 33-02114

* 68 A PREFIX CLAIMS WITH THIS POD

SOURCE: BAUGER CREEK

TRIB: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3300035 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: BAUGER CREEK

TRIB: LITTLE LOST RIVER

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) _____ Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM) 12/13 of 95 NAME OF EXAMINER Abraham Y() N()
OTHER (DESCRIBE IN NOTES BELOW) w/ watermaster Dano Anderson

NOTES: POINT OF DIVERSION NOT SPECIFIED BY DIVERS. SEE T. L. KOS, LITTLE Lost RIVER DISTRIBUTION, 19 MAY 1993. DISCUSSIONS OF BRAGGER CREEK AND LITTLE Lost RIVER. SEE PHOTO PAGE 2.

THERE HAVE BEEN NO TRANSFERS MOVING THE POINT OF DIVERSION OR PLANTS OF USG TO OR FROM OTHER THAN THE DECEASED GROUND. AND, NOT ALL DECEASED GROUND IS UNDER MGR. OF MY KIND.

DIVERS LISTED POINT OF DIVERSION: FROM BRAGGER CREEK: (WHICH IS NOT INCREASED IN CLAIMED P.O.'s). POINT OF DIVERSION, RECOGNIZED AND USED BY EAST 33 WATERMASTER IS: TGN, R. 27E, Sec. 34 N8E8SW (BY THE SIDE OF THE HIGHWAY)

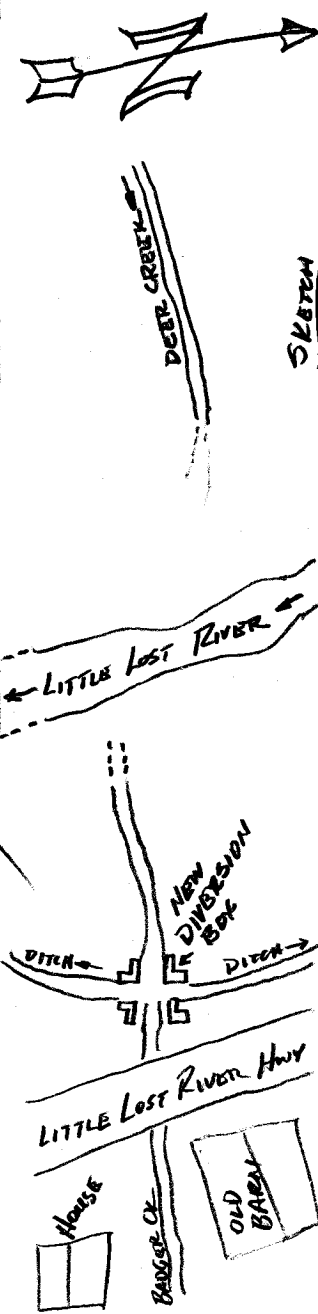
RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
05N	29E	4	SE	SE	SE	SE	SE	POD	BUTTE		
06N	29E	30	SW	SW	NW	NW	NW		BUTTE		
06N	29E	32	NW	NW	NW	NW	NW		BUTTE		
09N	27E	5	NW	NW	NE	NE	NE		BUTTE		
09N	27E	33	NW	NW	NE	NE	NE		BUTTE		
9N	27E	34	NE	SE	SW	SW	SW			BRAGGER CREEK DIVERSION	

UNCLAIMED

SOURCE: BRAGGER CREEK
TRIE: LITTLE LOST RIVER

REVIEWED BY: Abraham DATE: 22 Nov 95
SYSTEM DESCRIPTION: DESCRIBED BELOW () SEE LICENSE FILE (), OR SEE ATTACHMENT () SEE Photos AND ASCS Photocopy



A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00035A IRRIGATION	FROM 04-01 TO 11-01	0.720 CFS	
TOTAL DIVERSION RATE/VOLUME		0.720 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00035 IRRIGATION	FROM TO	1.600 CFS	
TOTAL DIVERSION RATE/VOLUME		1.600 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(✓) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(✓) N() As described

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

Watermaster Records

NOTES: DECREED AS BOINCHES (1.6 cfs).

It is unknown as to why this right is claimed as an "A" portion. 33-00035 is not split on the WR side. On the AS side there is no claim of A33-00035 or A33-00035B. What happened to the GBBcs that is unclear. It is not understood. The right is now to transfer G07 but review leads to the conclusion that T607 does not apply to 33-00035. No other related transfers are known. T607 relates only to 33-00031 (part) now claimed as A33-00031D. See E-MAIL MEMO SUBJECTS TO ARLISTERY, 28 DEC 95, RE: TRANS. #607. "TRANS. #607 HAS NOTHING TO DO WITH RIGHT 33-00035."

19 DEC 95. CONTACTED Butte County Assessor - RE: OWNERSHIP OF NESW SEC. 34 T. 9N, R. 27E. Assessor's

RECORDS SHOW THIS TO BE STATE GROUND. FIELD OBSERVATION AND ASES PHOTO SHOW ~ 6 AC. AS IRRIGATED - BUT NOT CLAIMED IN THIS ADJUDICATION CLAIM. ALSO NOT PART OF THE DECREE.

13 May 99 Apparently the NESW SEC. 34 is BLM LAND - & SWSB

For
10/1/99
Re: Same - 1st part per
10/1/99 - 1st part per
Re: Same - 1st part per
10/1/99 - 1st part per
Re: Same - 1st part per
10/1/99 - 1st part per

AJ CLAIM TOTAL DIVERSION RATE: 0.720 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.600 CFS

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

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

C. * ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.
IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

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

E. MEASUREMENT METHOD Watermaster Records FLOW MEASUREMENT SEE ATTACHED CALCULATIONS.

F. 1a. IRRIGATION RATE ACRES 1563 x 0.02 CFS/ACRE = 31.3 CFS
(Taken from pda review)

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

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

2. IRRIGATION DIVERSION VOLUME = AE/A

CLAIMED DIVERSION VOLUME = AE/A

ACRES 1563 x DIVERSION VOL. AE/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 458.5 AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AE/A

ACRES 1563 x CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 322.5 AE/A

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

1b. CALCULATIONS

CLAIMED-0.72 cfs

CALC. 0.002 - 3.13

DECREASED AS - 1.60

NOTES: A. Don't know why diversion rate is reduced. No recorded transfers.
C. Non-use (non-irrigation by this right) issue: lands across west of Little Lost River in parts of
NESE, SESE SEC. 33 and NWSW, SWSW SEC. 34 T.9N, R.27E. Do not appear to have been irrigated
from the Little Lost River, Badger Creek or Exhams Well since Pannetier acquired the property
in 1989. Parts of these lands (west of the river) do appear to have been irrigated by Deer Cr. Waters,
SEE A33-10119.

5/12/99 Meeting Pannetier says the river water over west of the river in 1997 when
water was available.

WR RECORD CONDITIONS/REMARKS:
P/D & P/U INCOMPLETE. ⇒ Per Decease

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CES	REC. DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 0.720	DATABASE EXAMINER	DATABASE EXAMINER 0.0
	<i>As Decried</i>			
TOTAL FOR THIS RIGHT		0.720 <i>As Claimed</i>		0.0 <i>327.5</i>

NON-IRRIGATION USES CLAIMED: S/ STOCKWATER

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: *April* DATE:

FLAG: *PRESUMPTION CODE C change in Rev Jan 1987 (also, Point of Div. From Budget Ch not claimed)*
STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Basis of Claim Review Sheet

CLAIM NUMBER: A33-00035A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	FORFEIT/ABANDON	AMOUNT
ADDITIONAL DIV.		

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00035

TOTAL DIVERSION RATE OF WR SPLITS

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11
22
33
44
55
66

OLD RIGHT
NEW RES

CURRENT DATE 05/02/03

DIVERSITY RATE

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IN THE
CITY OF
NEW YORK
COUNTY OF
NEW YORK

33-00035A

0.72 As claimed *

TOTAL CES 65

0091

CONVERSION RATE REVIEW

DATA: DATASOURCE

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

07
04
02

THERE ARE NO KNOWN SPLITS OF THIS RIGHT. CLAIMED AS D. 22-6; D. 88-6 IS UNCLAIMED.

1.62 lbs 00035 (unclaimed)

00035A (PawcH5R0i)

0.88cf — UNCLAIMED?

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 20 Nov 95

NAME OF FIELD EXAMINER: ALAN B. BURNING TITLE: SA

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

(✓) ORTHOPHOTOQUAD

DATE OF PHOTO

1975

IDWR ID NO.

V-83

Y() N(✓)

() TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y() N()

(✓) NAPP

DATE OF PHOTO

Aug 2 1987

IDWR ID NO.

V-83 NW 4 SW

Y() N(✓)

(✓) ASCS AERIAL PHOTO

DATE OF PHOTO

1987

Y(✓) N()

() ASCS COLOR SLIDE

DATE OF PHOTO

Y() N()

() BLM OR USES AERIAL PHOTO

DATE OF PHOTO

Y() N()

(✓) TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

CHECKED BEN. R. 375.

Y(✓) N()

() SCS SOIL SURVEY MAP

DATE ISSUED

Y() N()

() SUBDIVISION PLAT MAP

DATE OF MAP

Y() N()

() OTHER

DATE

Y() N()

() OTHER

DATE

Y() N()

() OTHER

DATE

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM

DATE OF FIELD EXAM

Y() N()

() WATER RIGHT LICENSE

DATE LICENSE SIGNED

Y() N()

() IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

Y() N()

() SYSTEM DESCRIPTION

DATE DRAWN

Y() N()

(✓) PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

13 Oct 95 102

2

Y() N()

() SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

Y() N()

(✓) ~~HURDLE~~ ANALYSIS *conclude*

DATE ANALYSIS COMPLETED

9 Jan 96

1

Y() N()

() CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

Y() N()

() FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

Y() N()

(✓) OTHER ~~DEEDS EXCEPT RIGHTS GRANT~~ *copy*

DATE

4 MARCH 1927

Y() N()

(✓) OTHER ~~THE STATE'S L.R. WATER DIST. AGREEMENTS FOR~~ *copy*

DATE

19 MAY 1993

Y() N()

L.R. (00032) AND BARGE CH (00035)

(✓) MEMO TO S.W. KERN w/ COPIES OF T. 607

28 NOV 95

Y() N()

(✓) LANDSLIP ATTACHMENT (101.)

00:00:11
08/24/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A33-00035A

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		WRT J. PANAMA 08/11/95 Kathleen Panam 12/01/95 To Visit Banger Cl. & RARE PLACES.	12 OCT 95 ABZ	N	SAW 16 JUN 96			
POINT OF DIV	Y	30 JUL 95 Spots TO RARE PLACES TO VISIT BANGER CL. VISITED PROPERTY 00 12 OCT 95 ABZ	1 DEC 95 ABR	Y				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-							
PURPOSES OF USE				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

Presumption Case C

Cons/Remark
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CPS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:09
08/24/95
30

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A33-00035A

OWNER: C PANCHERI INC
NAME & ADDRESS: 03/06/1907 IRRIGATION
PRIORITY DATE: 04-01 11-01
WATER USE: 0.72 CFS
DIVERSION RATE: 0.72 CFS
DIVERSION VOLUME: 33-00035 1.60 cfs
00035A .72 cfs

Water Source: BADGER CREEK

Tributary to: LITTLE LOST RIVER

Point(s) of Diversion:

TOWN R29E S04
T06N R29E S30
T06N R29E S32
T06N R29E S33
T09N R27E S05
T09N R27E S33
T09N R27E S34
LLR
Broom. Cr.
N 25 E 34 W

Place of use Legal Description for: IRRIGATION

05N 29E 3

05N 29E 4

05N 29E 5

05N 29E 10

05N 29E 11

05N 29E 12

05N 29E 13

05N 29E 14

06N 29E 29

06N 29E 30

06N 29E 31

06N 29E 32

06N 29E 34

08N 27E 3

09N 27E 9

09N 27E 16

09N 27E 21

09N 27E 28

09N 27E 33

09N 27E 34

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POU County: BUTTE

Non-Irrigation Uses: 57 STOCKWATER

Other Rights: SEE REMARKS 33-00032, 33A,

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,

PRESUMPTION COLOR: C CHANGES FROM 1987
N 25 E 34 (12 AC)
S 25 E 34 (1 AC)
13 AC

Cons./Reserve
CPS
CPS

SEE ATTACHED LAND LIST

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:09
08/24/95
31

CLAIM NUMBER: A33-00035A

PAGE: 15
PROFILE REPORT CONTINUED

Remarks: 0088,0090,0092,0108,0109,0110,0115
CONFIRMED ATTORNEY MAILING ADDRESS DMS

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 33

Field Inspection Flag:
Presumption Flag: c

W. Bennett

12/05/2001

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

RIGHT NUMBER: 33-35A

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

SOURCE: BADGER CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.720 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02068A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.28 CFS.

PRIORITY DATE: 03/06/1907

POINT OF
DIVERSION: T09N R27E S34 NESESW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	4/01 11/01	0.720 CFS

PLACE OF USE: IRRIGATION Within BUTTE County

T08N R27E S03 Lot 2 NWNE	24.0	T08N R27E S03 Lot 3 NENW	38.0
T08N R27E S03 Lot 4 NWNW	4 3.6	T08N R27E S03 SENW	3 3.2
T09N R27E S34 NWSW	6 6.1	T09N R27E S34 SWSW	9-0 17.0
T09N R27E S34 SESW	14.0		

~~98~~ 105.9 ACRES TOTAL

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 98 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
33-00035A, 33-02068A, 33-10997.

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

THIS SOURCE CAN BE USED AS AN EXCHANGE SOURCE WITH RIGHT NO.
33-02068A WHEN THE PRIORITY OF THIS RIGHT IS CUT. EXCHANGE IS BY
INJECTION OF WATERS FROM RIGHT 33-02068A INTO LITTLE LOST RIVER AT THE
POINT OF INJECTION AND REDIVERSION DEFINED IN 33-02068A. EXCHANGE OF AN
EQUAL QUANTITY FROM THIS SOURCE AT THE POINT OF REDIVERSION. NO LOSS IS TO BE
ASSESSED. THE LOCATION OF THE POINT OF INJECTION BEING DOWNSTREAM FROM THE
POINT OF REDIVERSION.

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

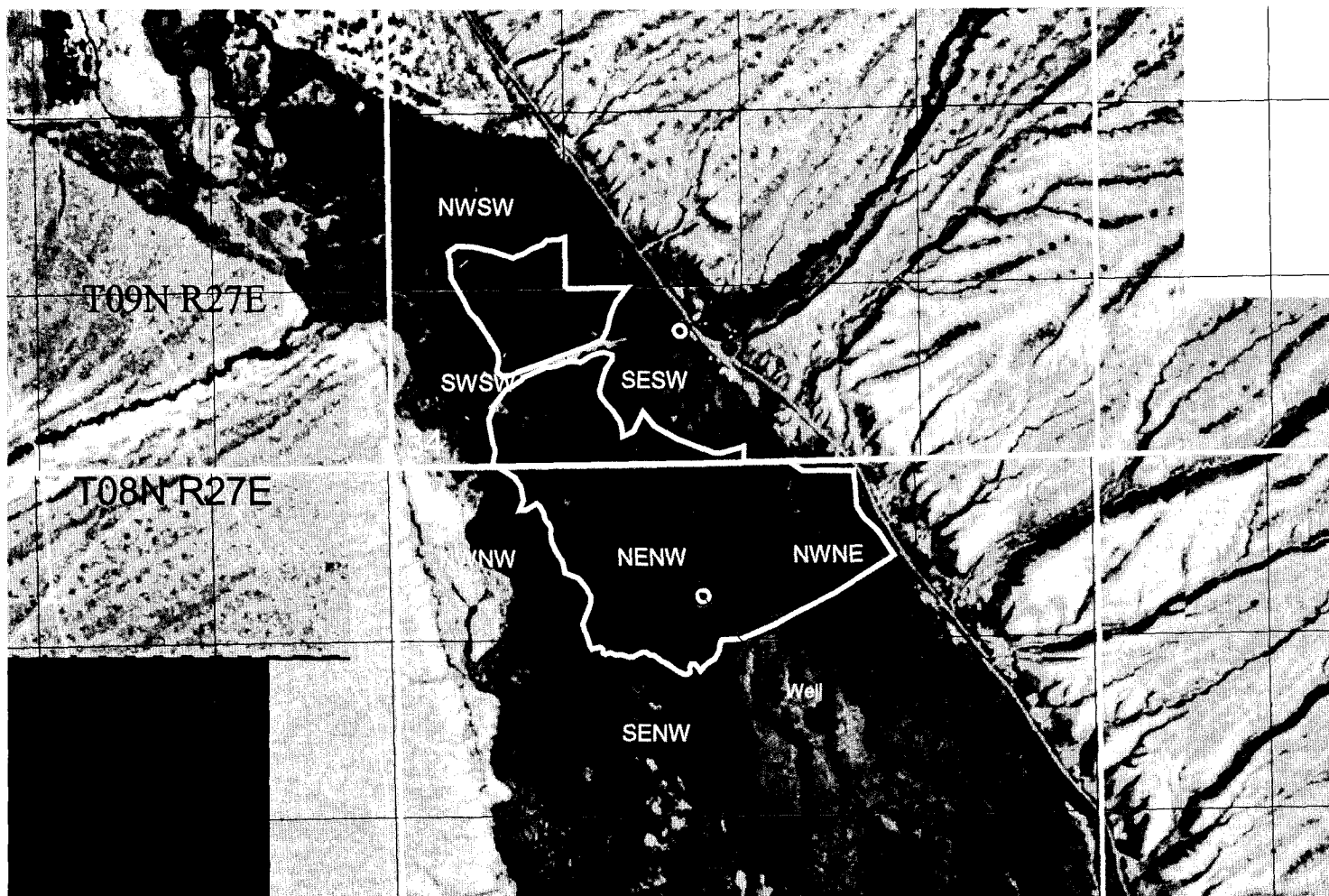
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION
42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-35A



0 1320 2640 3960 Feet

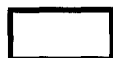
LEGEND



Point of Diversion

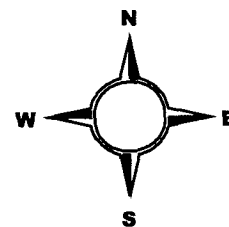
Place of Use

Section Line



Quarter-section line

Irrigated Acres = 105.9



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2001



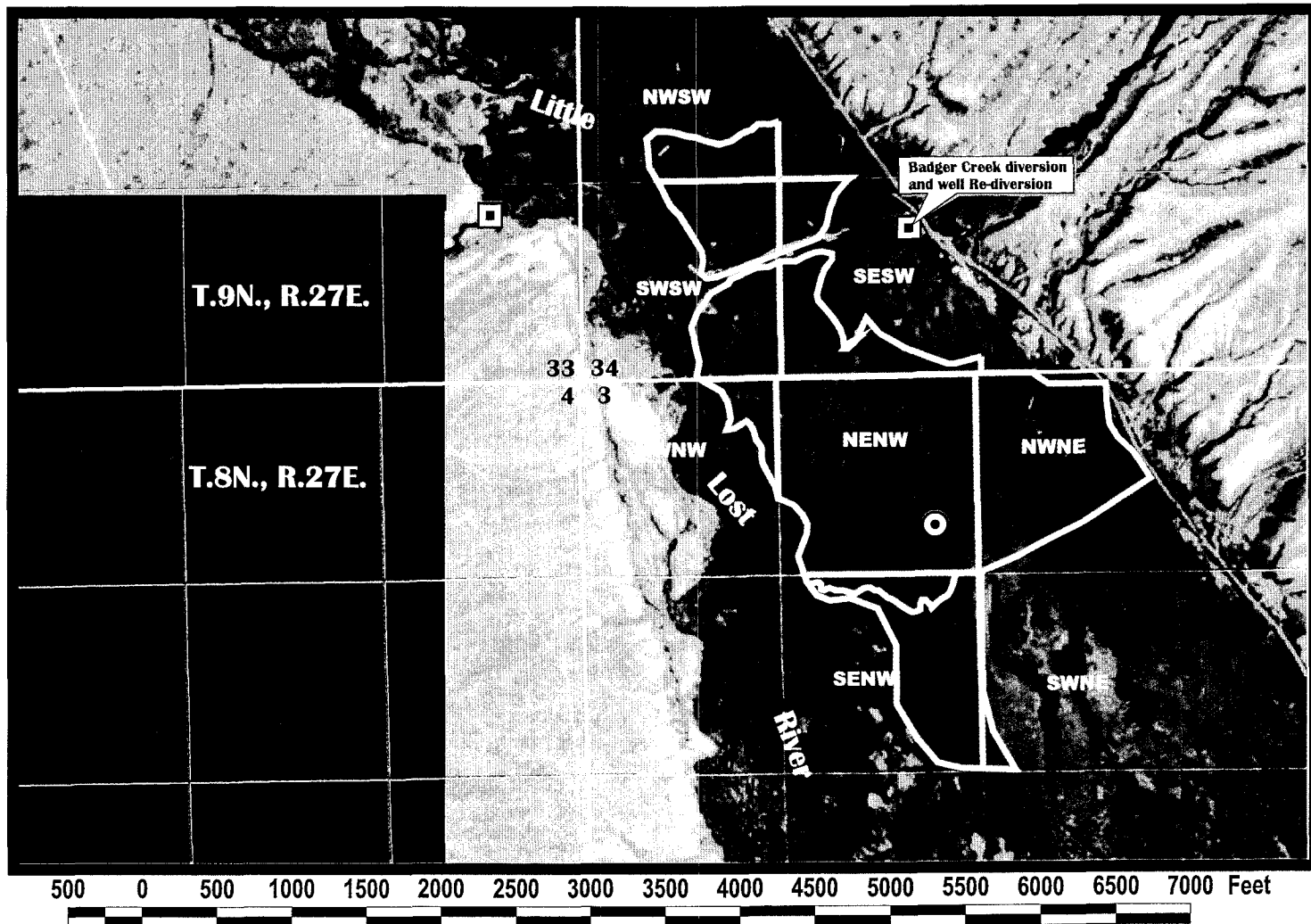
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-02068A, 33-00035A



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use

Section Line

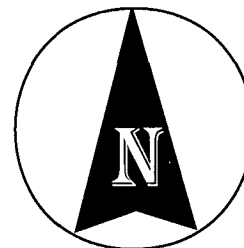
Quarter-section line

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

Sec. 34 (parts of) S2SW, NWSW,
T.8N., R.27E Sec. 3 (parts of) N2NW,
SENE, W2NE

Point(s) of Diversion: T.8N., R.27E.

Sec. 3 SENE (well)
Sec. 3 NSENE (injection)
T.9N., R.27E. Sec. 34 SENE
(well rediversion and Badger Ck diversion)



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



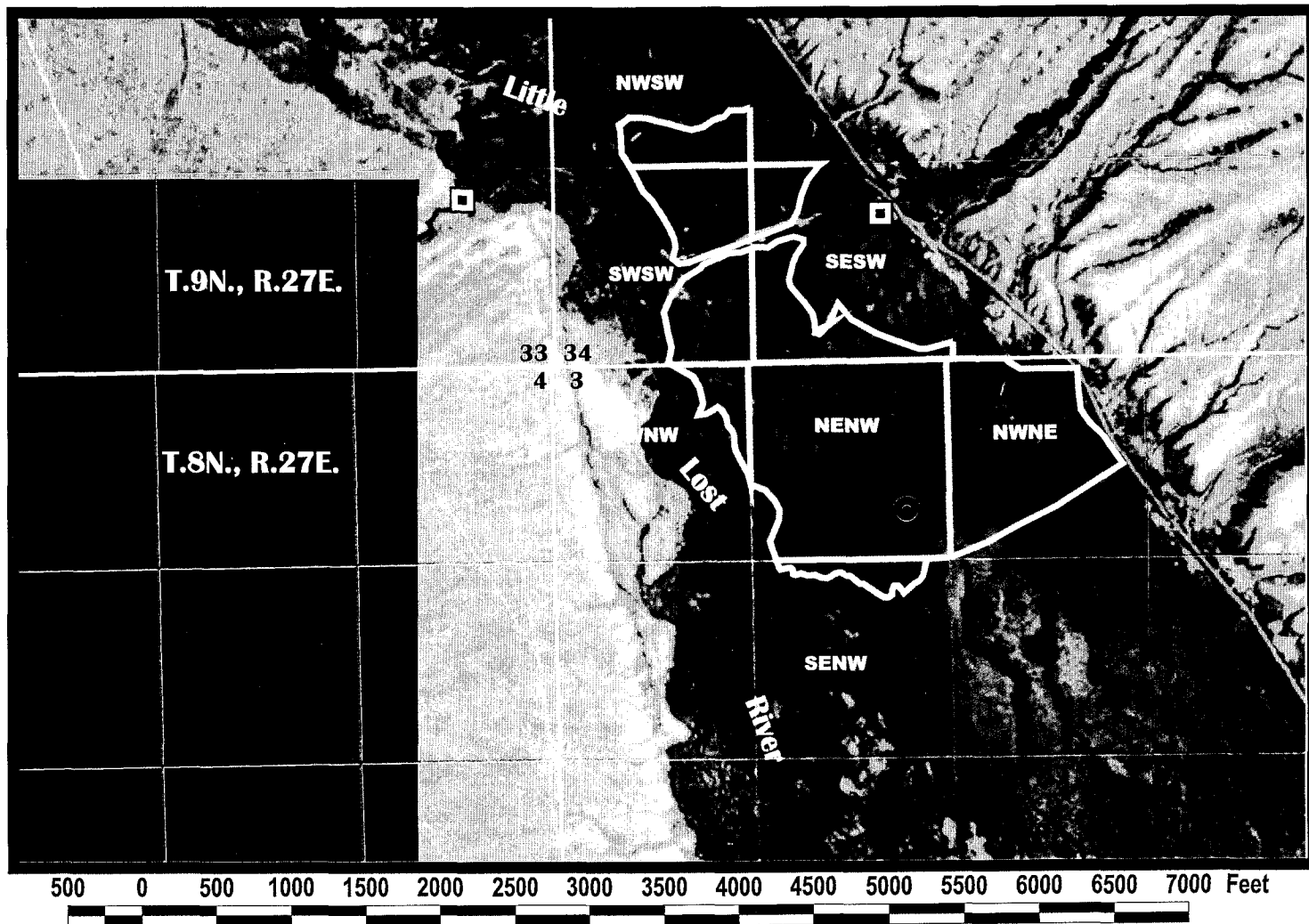
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00035A



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

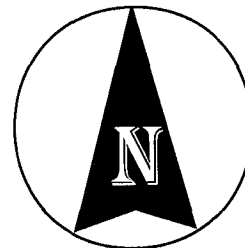
Quarter-section line

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

Sec. 34 (parts of) S2SW, NWSW,
T.8N., R.27E Sec. 3 (parts of) N2NW,
SESW, NWNE

Point(s) of Diversion:

T.9N., R.27E. Sec. 34 NESESW
(well redirection and Badger Ck diversion)



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

11/15/2000

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

RIGHT NUMBER: 33-35A

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

SOURCE: BADGER CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.72 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02068A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS

PRIORITY DATE: 03/06/1907

POINT OF DIVERSION: T09N R27E S34 NESESW Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.72 CFS

PLACE OF USE:

<u>IRRIGATION Within BUTTE County</u>					
T08N R27E S3	NWNW	4	T08N R27E S3	SENW	3
T08N R27E S3	NWNE	24	T08N R27E S3	NENW	38
T09N R27E S34	NWSW	6	T09N R27E S34	SWSW	9
T09N R27E S34	SESW	14			
98 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 98 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 123 ACRES IN
A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02068A,
33-10997

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.

THIS SOURCE CAN BE USED AS AN EXCHANGE SOURCE WITH RIGHT
NO. 33-02068A WHEN THE PRIORITY OF THIS RIGHT IS CUT. EXCHANGE
IS BY INJECTION OF WATERS FROM RIGHT 33-02068A INTO LITTLE
LOST RIVER AT THE POINT OF INJECTION AND REDIVERSION DEFINED
IN 33-02068A. EXCHANGE OF AN EQUAL QUANTITY FROM THIS SOURCE
AT THE POINT OF REDIVERSION

NO LOSS IS TO BE ASSESSED. THE LOCATION OF THE POINT OF
INJECTION BEING DOWNSTREAM FROM THE POINT OF REDIVERSION

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: A33-00035A
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: MAR 06, 1907

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	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	0.720		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ STOCKWATER

A33-00035A

Page 1

Date: 02/16/90

*Original
Sent to
Court.
4-20-00*

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				383.0
		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
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.

vs

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 A33-0035ADate Received 1/11/90Receipt Number E011683

A3300035A

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

JAN 11 1990

Department 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) March 6, 19073. Source of water supply (a) Badger 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 .72 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) .72 (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'	:	' ' ' ':	:	: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:	:	' ' ' '30:	:	' ' ' '31:	:	298
6N:29E:	29: ' ' ' ':	:	' ' ' ':	:	'40' '38' 40:	:	40' 40' 40' 40:	:	278
:	30: ' ' ' ':	:	' ' ' ':	:	' ' ' '27:	:	'40' 40' 40' 40:	:	107
:	31: 33' 40' ' ':	:	18' ' ' ':	:	' ' ' ':	:	' ' ' ':	:	91
:	32: ' ' '39' ':	:	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 33-0035

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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 33-0035
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 33-0035

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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 33-0035

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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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