Photo 1. Intake for the Dry Creek Hydropower Aquaduct. Also serves as the point of diversion for several decreed rights from Dry Creek. These rights are now delivered as developed water ahead of and out of sequence of other decreed rights of the Little Lost River system.

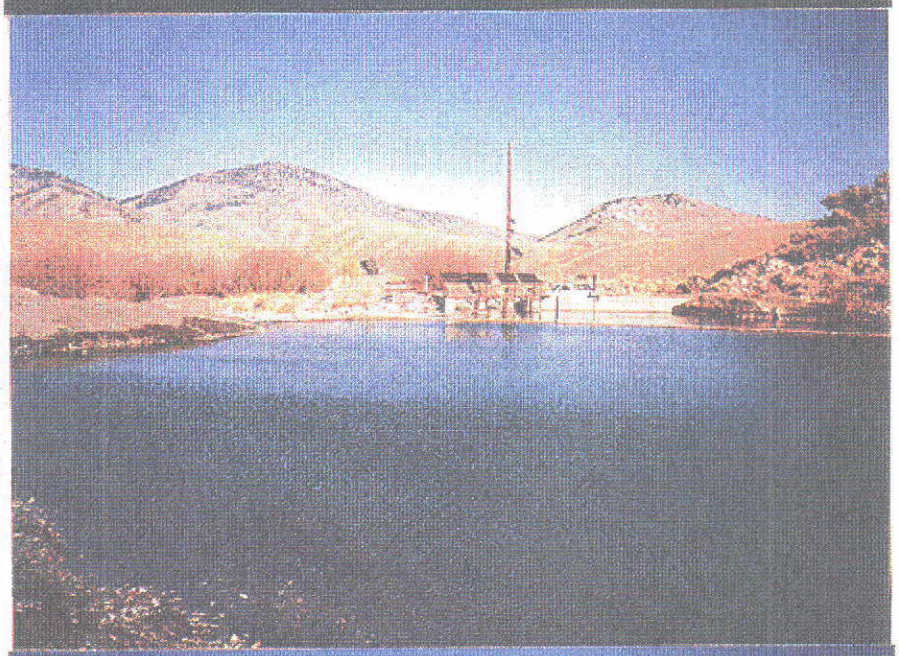


Photo 2. Dry Creek Hydro Reservoir Pool.

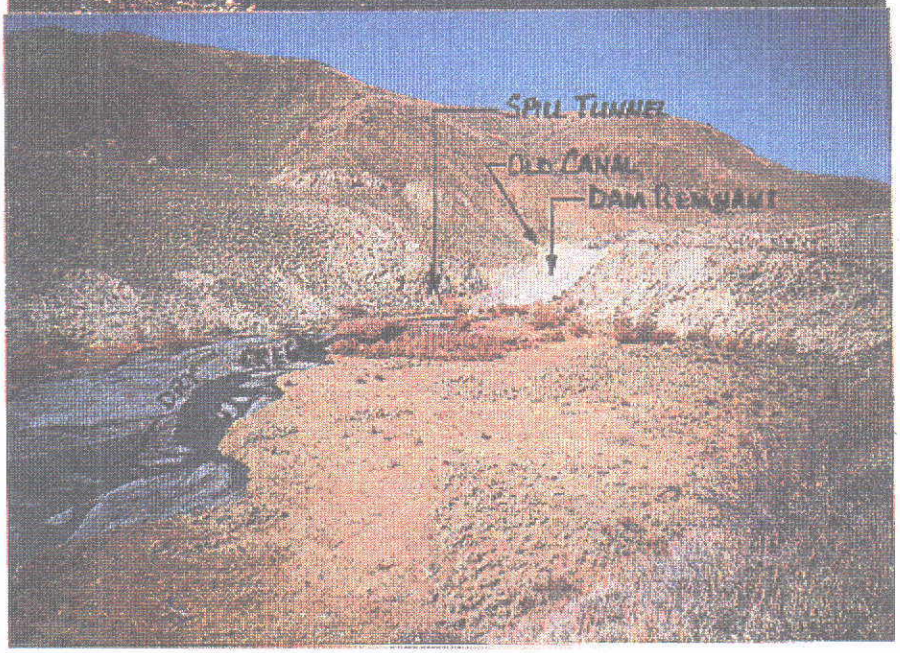


Photo 3. Old Dry Creek Dam which is referenced in the decree as the point of diversion for the Dry Creek rights. This dam was blown in the 1930's but did not fail until 1958. It was blown due to a water fight between the old settlers and the Blaine County Invest. Co.

All Photos looking Northerly.

Photos taken: 31 Oct. 95 ABR

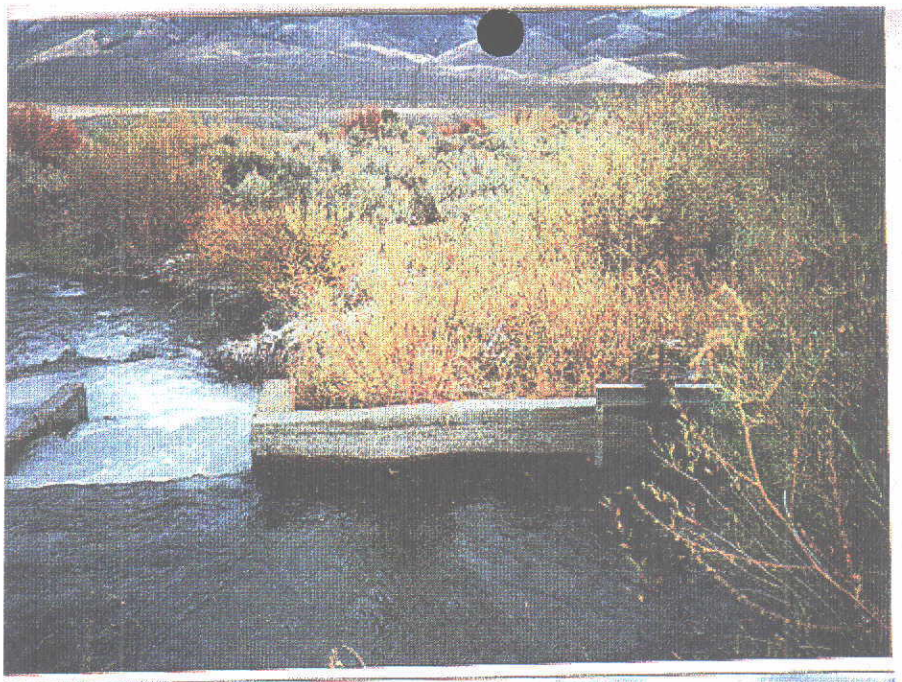


Photo 1. Diversion of Wet Ck Waters to Reed Place.
P.O.D. NENWNE Sec. 5 T. 9N, R.27E.
Includes Dry Ck exchange and Sawmill Ck (Mudd Field) Waters. Decreed Rights 33-00084 & 00085
Moved without Transfer
Some of 00085 is Ok.

Photo 2. Well-License 33-07015.
Enjoined to Adjudication.
P.O.D. NWSENW Sec. 9
T. 9N., R27E.

Note Ditch: Wet Ck water from Photo 1. in Ditch —
Also note Well A33-07015 is off. Well is supplemental to the Decreed Rights A33-00084 & A33-00085.

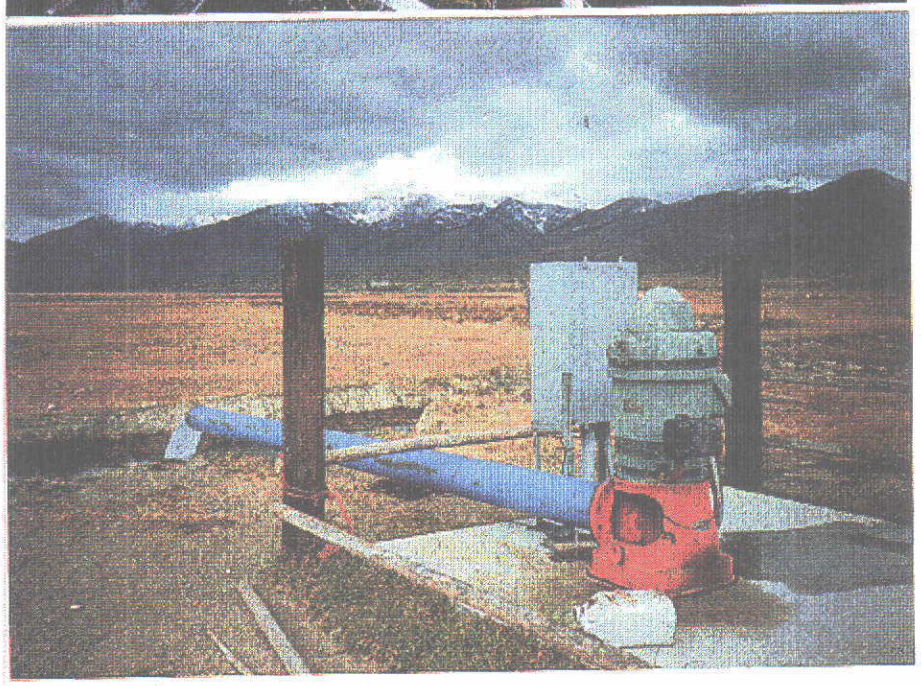


Photo 3. Well - Permit 33-07202
Not enjoined to Adjudication.
P.O.D. Listed as NENW Sec. 16
Plotted as SWSESW Sec. 9
T. 9N. R. 27E.
Permit Lapsed 1 Nov. 1995

Pancheri Bnc.
Reed Place Waters

Photos By: A. Ruberry 12 Oct 95

CLAIM NUMBER: A33-00084

REVIEWED BY: A B Rubenny DATE: 30 Oct. 95

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

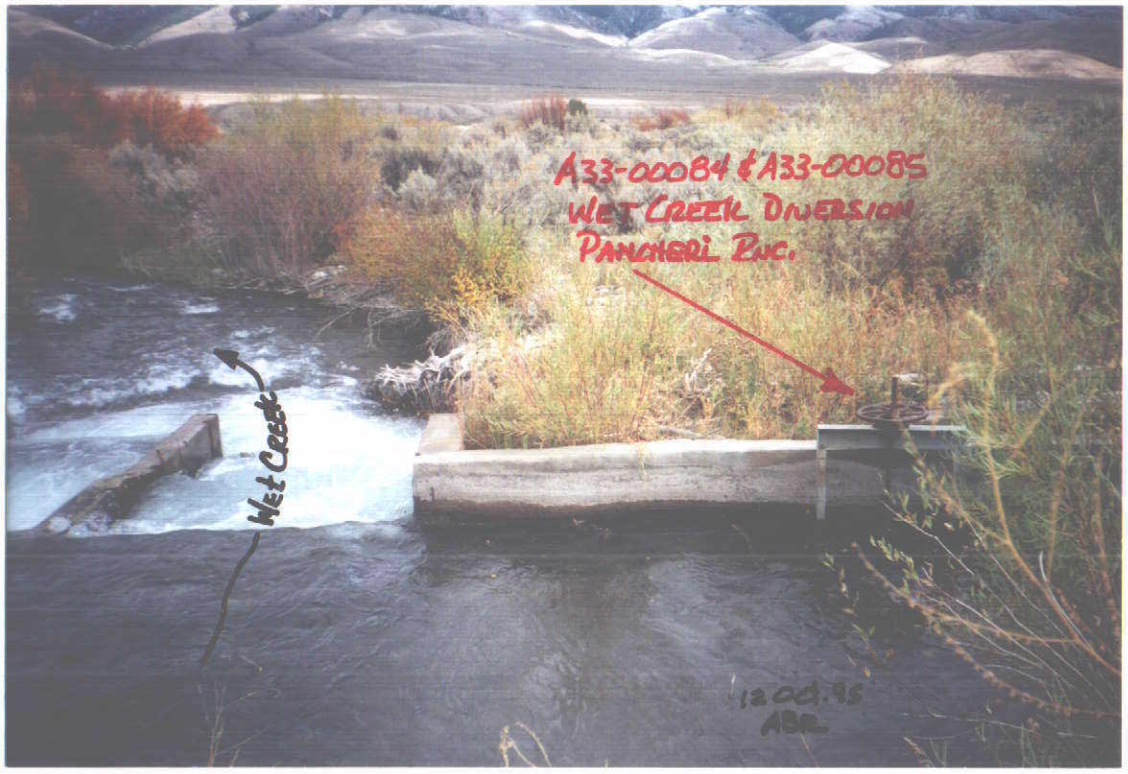


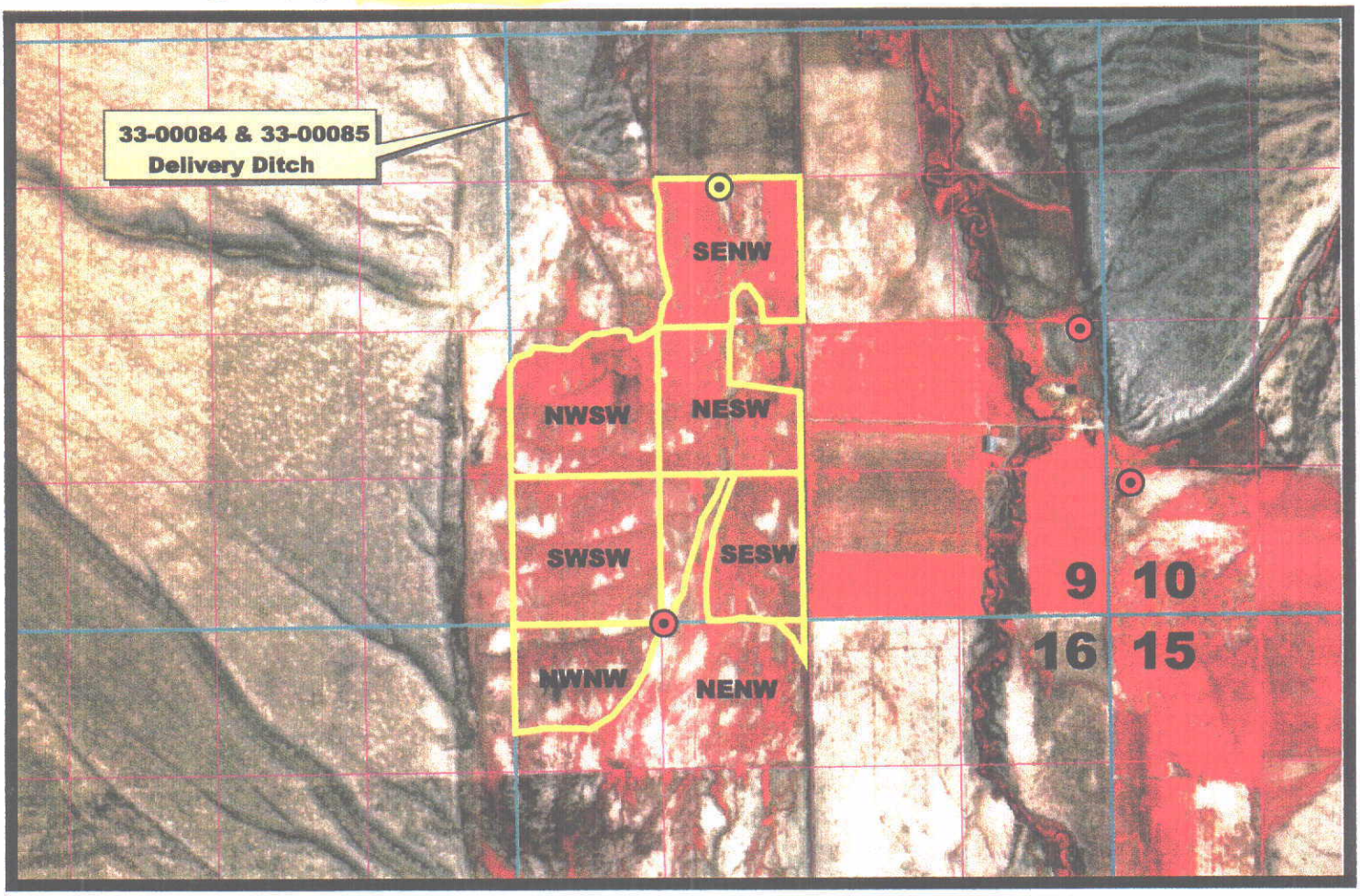
Photo taken 12 Oct. 95 ABR

STATE OF IDAHO
Department of Water Resources
Eastern Region

Revised 12/13/99 ar

Claimant: Pancheri Inc.

Water Right(s): 33-00084, 33-00085, 33-07015



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

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. 9 (parts of) SW, SENW
Sec. 16 (parts of) N2NW

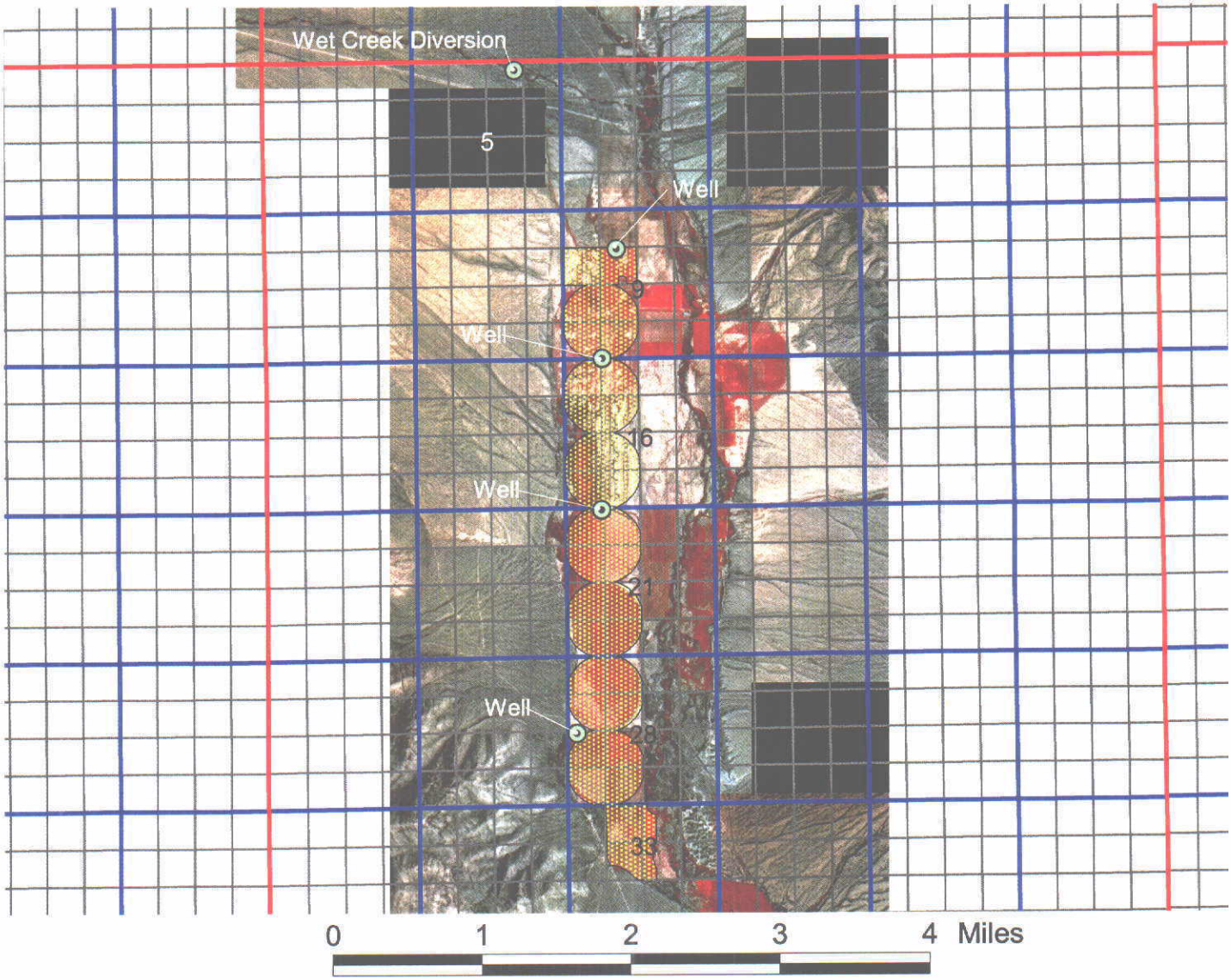
Point(s) of Diversion: T.9N., R.27E.
Sec. 5 NENWNE (surface)
Sec. 9 NWSENW (well)

N

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

Department of Water Resources

Claim No.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998



Irrigated Acres = 1122

- Pod.shp
- T68885.shp
- Townships
- Sections
- QQ

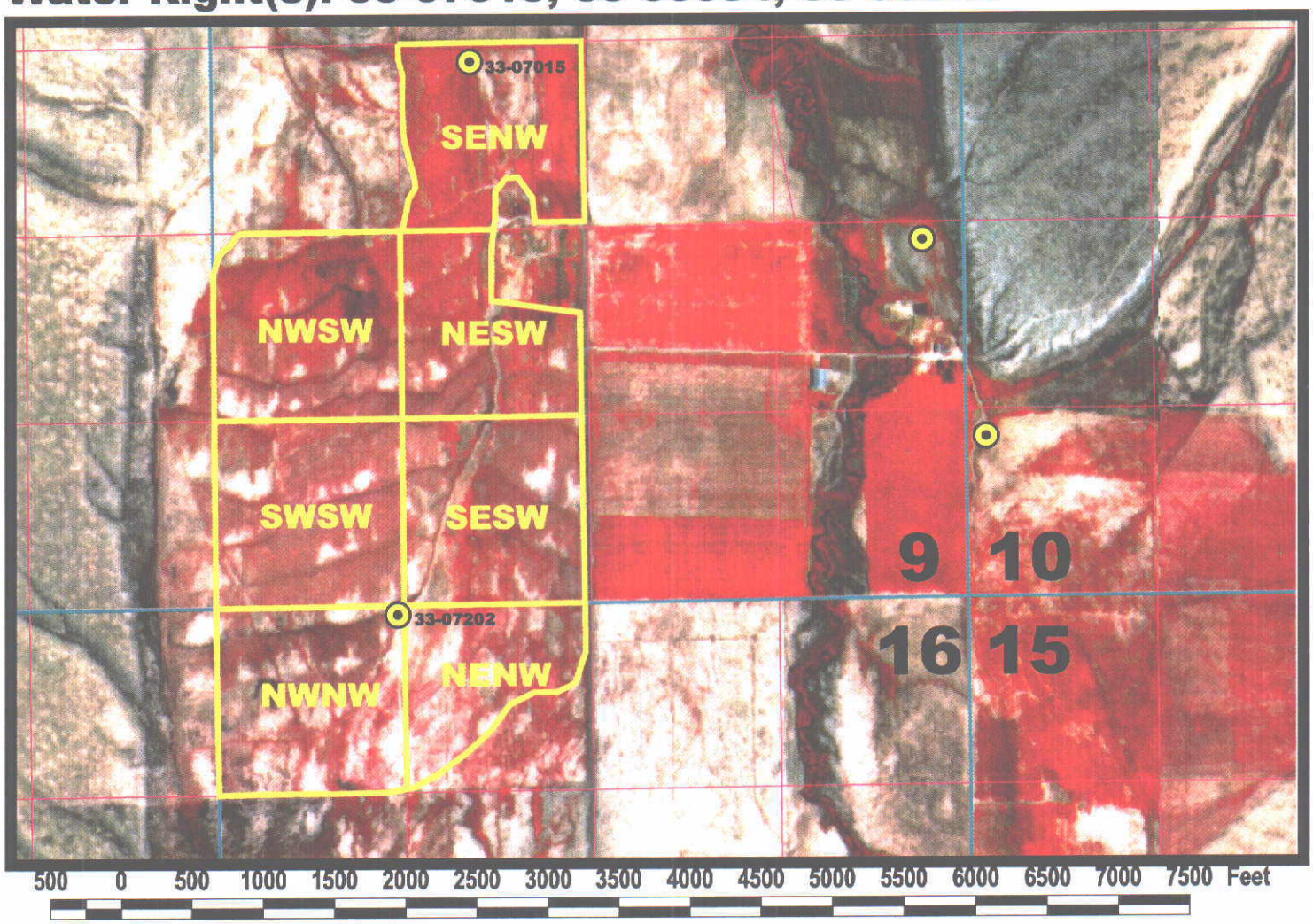
N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2002

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: Pancheri, Inc.

Water Right(s): 33-07015, 33-00084, 33-00085



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. 9 (parts of) SW, SENW,
Sec. 16 (part of) N2NW

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

Note: Revised by Notice of Error Process

N

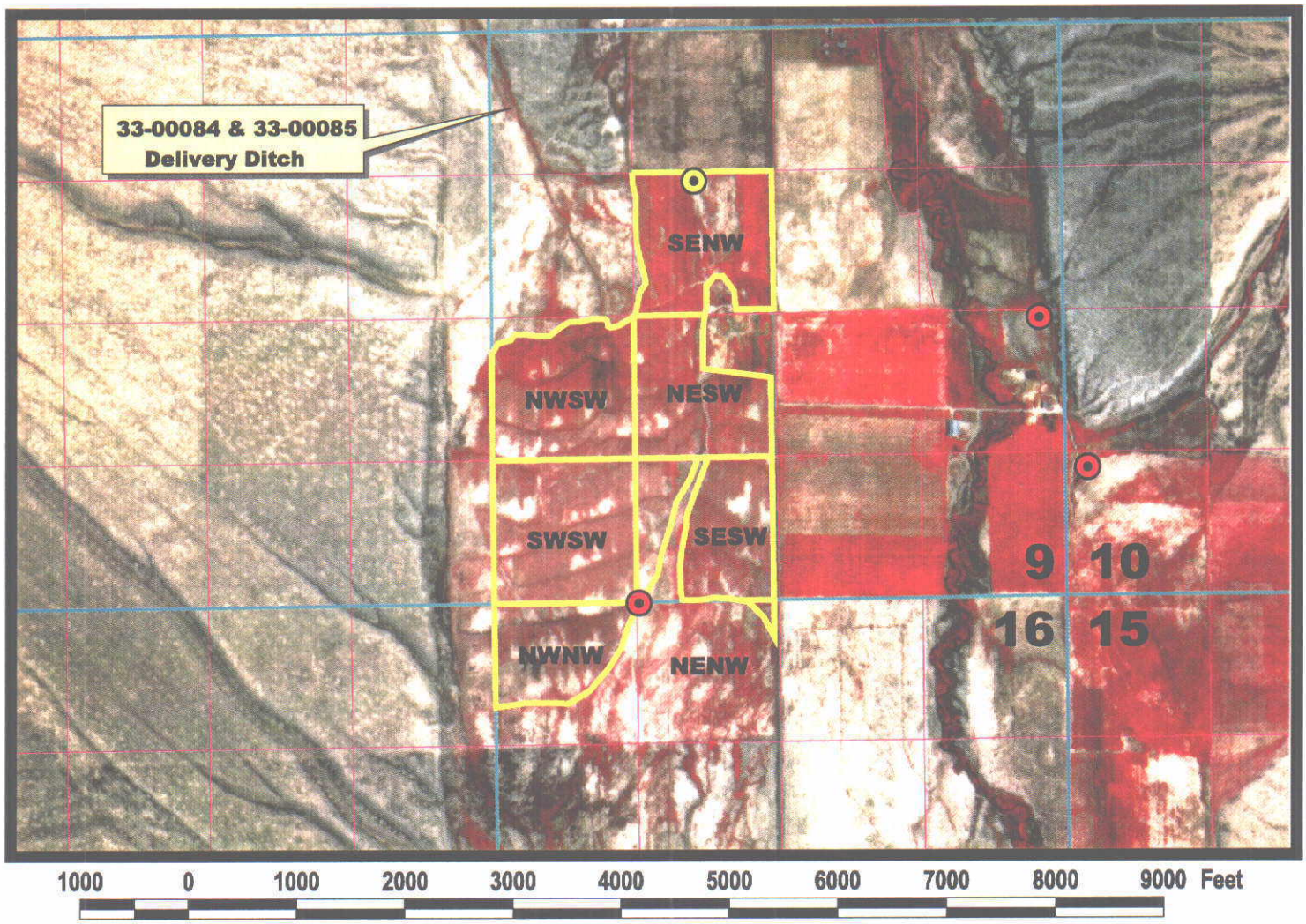
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

STATE OF IDAHO
Department of Water Resources
Eastern Region

Revised 12/13/99

Claimant: Pancheri Inc.

Water Right(s): 33-00084, 33-00085, 33-07015



LEGEND

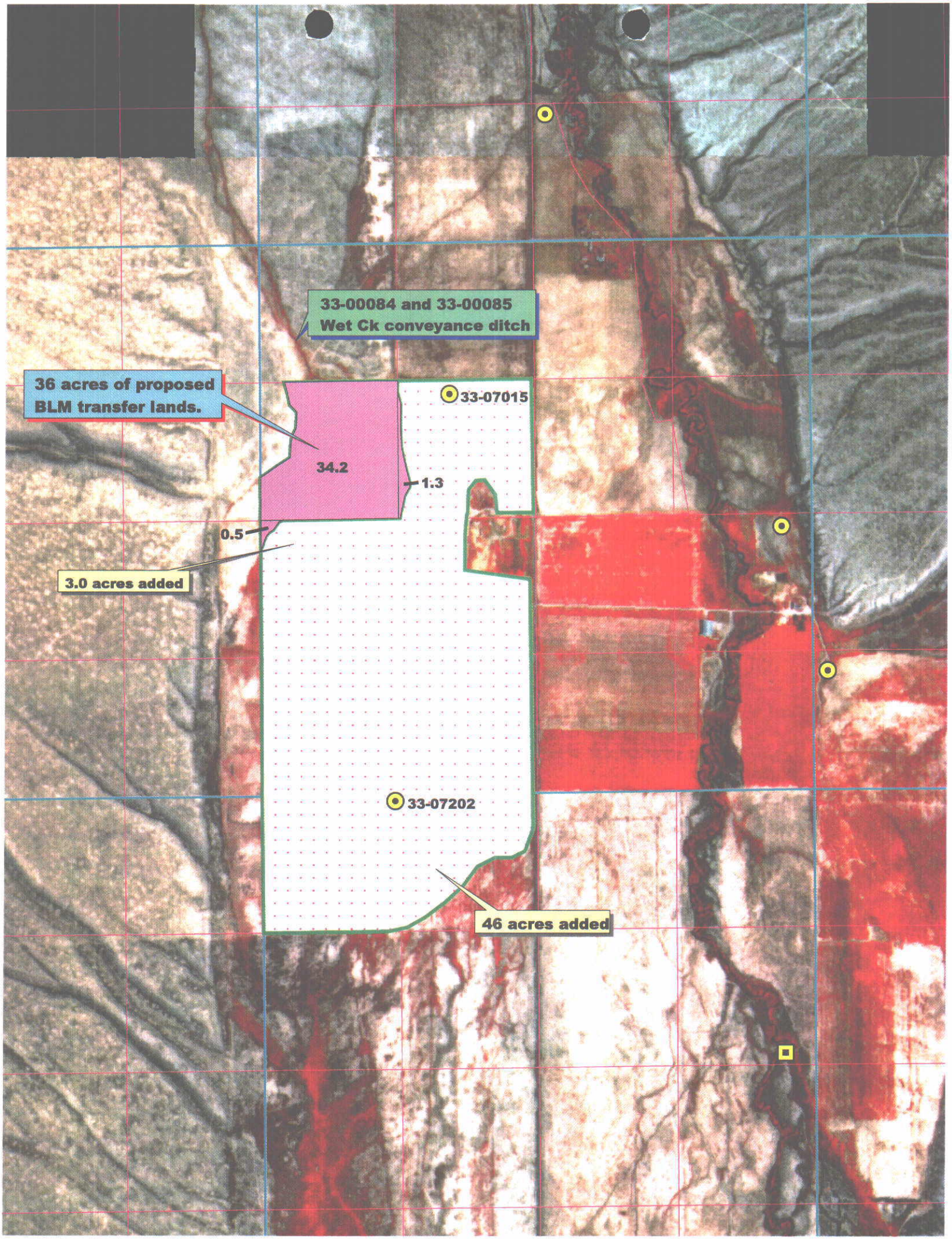
- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

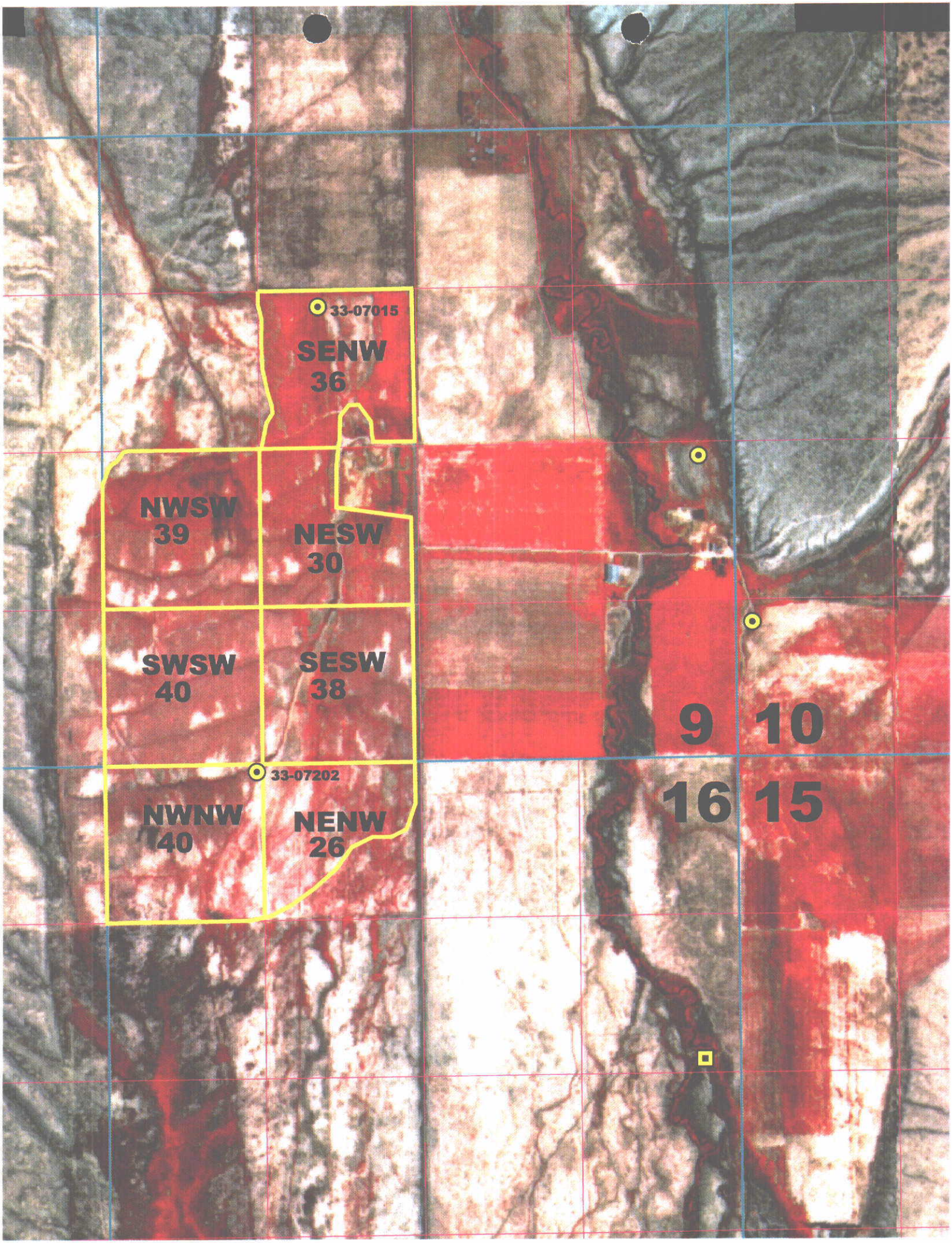
Place(s) of Use: T.9N., R.27E.
Sec. 9 (parts of) SW, SENW
Sec. 16 (parts of) N2NW

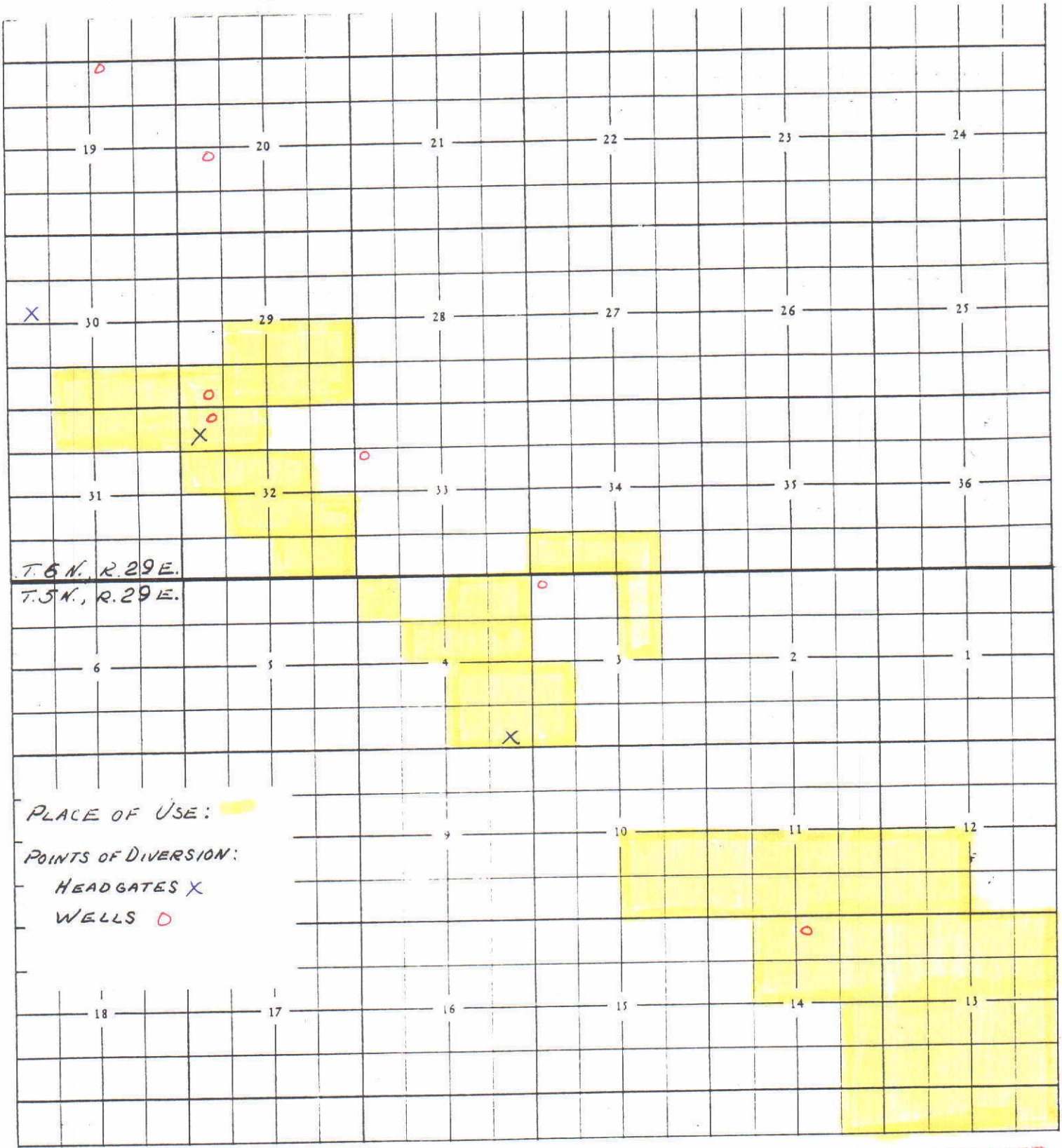
Point(s) of Diversion: T.9N., R.27E.
Sec. 5 NENWNE (surface)
Sec. 9 NWSENW (well)

N

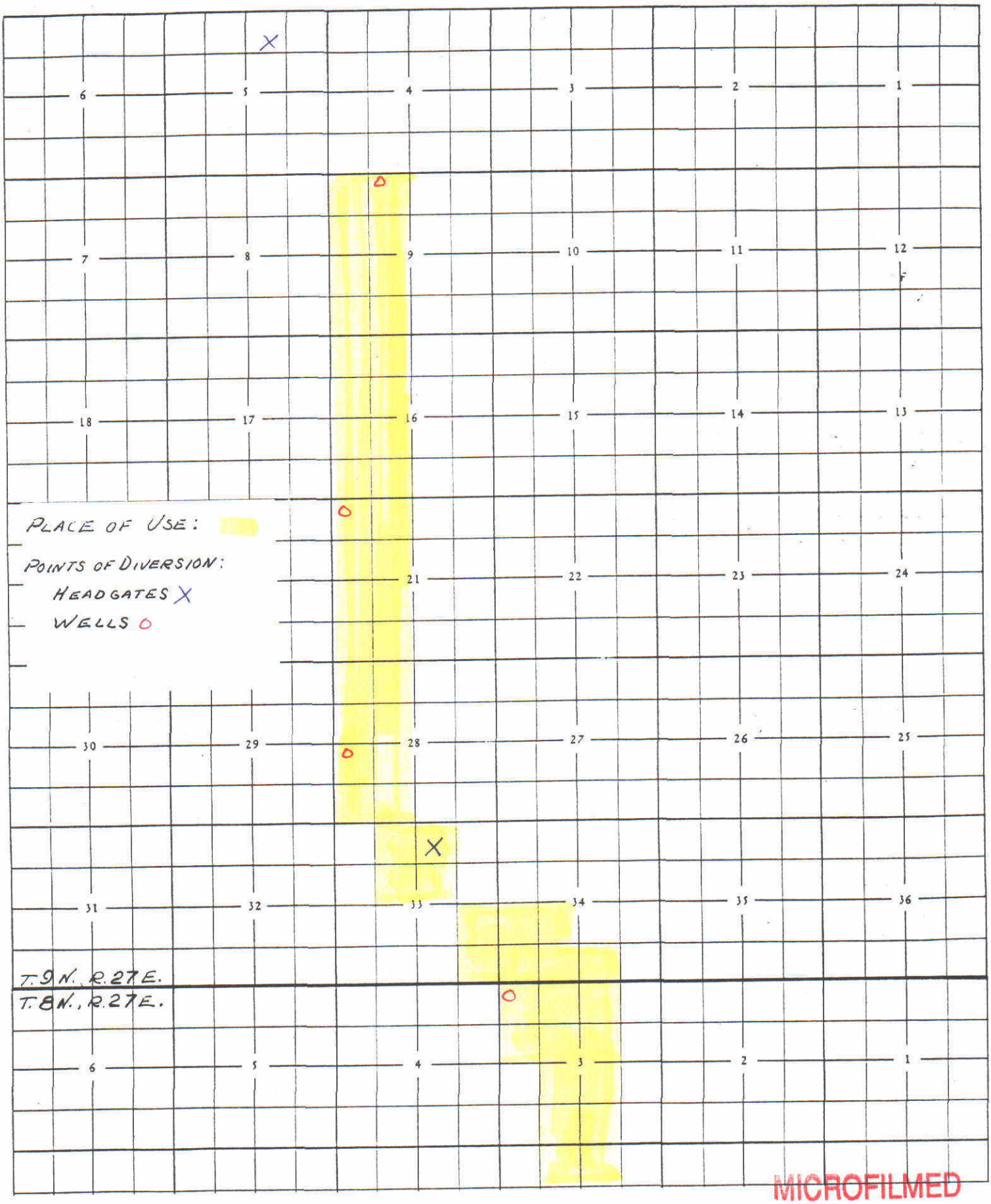
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: September 1999


33-00084 and 33-00085
Wet Ck conveyance ditch
36 acres of proposed
BLM transfer lands.
33-07015
34.2
1.3
0.5
3.0 acres added
33-07202
46 acres added


33-07015
SENW
36
NWSW
39
NESW
30
SWSW
40
SESW
38
33-07202
NWNW
40
NENW
26
9
10
16
15



MICROFILMED
NOV 18 1992



MICROFILMED
NOV 18 1992

RECEIVED
MAY 22 2002
Department of Water Resources

2002 MAY 20 PM 4:15
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	)	
	)	**ORDER OF PARTIAL DECREE**
Case No. 39576	)	
	)	**For Water Right 33-00084**
	)	

On March 12, 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 33-00084 is hereby **decreed** as set forth in the attached ***Partial Decree*** Pursuant to I.R.C.P. 54(b).

DATED May 20, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 MAY 20 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): 33-00084

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 33-00084 was mailed on May 20, 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

ROBBIN GLATZ
Chief Deputy Clerk

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2002

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

RE: Transfer #68885 for water right(s) 33-84, 33-85, 33-7015, 33-7202, 33-10070 and 33-10998 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On November 7, 2001, the Idaho Department of Water Resources (IDWR) approved Transfer #68885, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

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

Respectfully,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

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:** 33-84, 33-85, 33-7015, 33-7202, 33-10070 AND 33-10998
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[] Address change

[] Substitution of Party

[X] I.C. § 42-222 transfer **68885**

[]	point of diversion	[X]	place of use
[]	period of use	[]	nature of use
[]	split of water right	[]	change in ownership
[]	other		

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

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

DATED: January 4, 2002 Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 4, 2002, 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:

4. One copy to:
   Each party in the subcase, or attorney of record

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

Cheri Vandermeulen
Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 68885

This is to certify that: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
33-85	AJC/Decreed	04/15/1891	2.88 cfs		249.0	249.0	DRY CREEK
33-84	AJC/Decreed	03/14/1891	2.10 cfs		249.0	249.0	WET CREEK
33-7015	AJC/License	05/22/1972	1.77 cfs		249.0	249.0	GROUND WATER
33-10998	AJC/Beneficial Use	04/15/1927	0.71 cfs	126.0 af	36.0	36.0	WET CREEK
33-7202	AJC/License	11/08/1995	3.11 cfs	1050.0 af	300.0	300.0	GROUND WATER
33-10070	AJC/Decreed	05/25/1891	1.50 cfs	507.5 af	145.0	145.0	WET CREEK
33-90E	AJC/Decreed	04/01/1887	0.40 cfs	169.8 af	145.0	145.0	WET CREEK
33-2066A	AJC/License	11/17/1952	3.56 cfs	871.5 af	249.0	249.0	GROUND WATER
33-2066B	AJC/License	11/17/1952	0.52 cfs		364.0	364.0	GROUND WATER
33-2065	AJC/License	11/17/1952	4.66 cfs		364.0	364.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
33-85	NO	YES	YES	NO	NO	NO - AT ISSUE
33-84	NO	NO	YES	NO	NO	NO - AT ISSUE
33-7015	NO	NO	YES	NO	NO	NO - AT ISSUE
33-10998	NO	NO	NO	NO	NO	NO - AT ISSUE
33-7202	NO	NO	YES	NO	NO	NO - AT ISSUE
33-10070	NO	NO	YES	NO	NO	NO - AT ISSUE
33-90E	NO	NO	YES	NO	NO	NO - PD
33-2066A	NO	NO	YES	NO	NO	NO - PD
33-2066B	NO	NO	YES	NO	NO	NO - PD
33-2065	NO	NO	YES	NO	NO	NO - PD

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-85	**33-85**	2.88 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-84	**33-84**	2.1 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-7015	**33-7015**	1.77 cfs	750 af	249.0	1,122.0		N/A	N/A		N/A
33-10998	**33-10998**	0.71 cfs	126 af	36.0	1,122.0		N/A	N/A		N/A
33-7202	**33-7202**	3.11 cfs	1050 af	300.0	1,122.0		N/A	N/A		N/A
33-10070	**33-10070**	1.5 cfs	507.5 af	145.0	1,122.0		N/A	N/A		N/A
33-90E	**33-90E**	0.4 cfs	106.8 af	30.5	1,122.0		N/A	N/A		N/A
33-2066A	**33-2066A**	3.56 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-2066B	**33-2066B**	0.52 cfs	220.3 af	66.0	1,122.0		N/A	N/A		N/A
33-2065	**33-2065**	4.66 cfs	1116.5 af	319.0	1,122.0		N/A	N/A		N/A
TOTALS		**18.73 cfs**	**3927 af**	**1122**	**1122**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7 day of Nov, 2001

Chief, Water Allocation Bureau

WATER RIGHT NO. 33-84
As Modified by Transfer No. 68885

In accordance with the approval of Transfer No. 68885, Water Right No. 33-84 is now described as follows.

Right Holder: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Priority Date: 03/14/1891

Source: WET CREEK **Tributary:** LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2.10 CFS	~~871.5 AF~~ 367.5
			2.10 CFS	~~871.5 AF~~ 367.5

LOCATION OF POINT(S) OF DIVERSION:
WET CREEK NENWNE Sec. 5 Twp 09N Rge 27E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 27E 9							40.0	37.0	34.0	34.0	34.0	34.0					213.0
09N 27E 16					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 21					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 28					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 33		12.0	11.0		40.0			30.0									93.0

Total Acres: 1122

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 33-84
As Modified by Transfer No. 68885

CONDITIONS OF APPROVAL

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

7. This right is limited to the irrigation of ~~249~~ 105 acres within the place of use described above in a single irrigation season.

8. Rights 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-10070 and 33-10998 when combined shall not exceed a total diversion rate of 18.73 cfs, a total annual maximum diversion volume of 3927.0 af at the field headgate, and the irrigation of 1122 acres.

9. Rights 33-84, 33-85, 33-7015 and 33-10998 when combined shall not exceed a total diversion rate of 4.98 cfs, a total annual maximum diversion volume of 997.5 af at the field headgate, and the irrigation of 285 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____, 20____

_____

Chief, Water Allocation Bureau

NAP Sent 3-2-01

TRANSFER APPLICATION STAGE

1) Recommended rights being transferred (from Part 2). Check IWTRS for partial decrees.

1. 33 00084
2. 33 00085
3. 33 00090E p.d.
4. 33 02005 p.d.
5. 33 02006A p.d.
6. 33 02006B p.d.

33-07015
33-07202
33-10070
33-10998

*2) Overlapping recommended rights before and after proposed change. Check IWTRS for partial decrees.

1.
2.
3.
4.
5.
6.

TRANSFER APPROVAL STAGE

*1) Pedigree for parents and splits (children) due to approved transfer

*2) Any additional overlapping recommended rights

1.
2.
3.
4.
5.
6.

* To be completed by agent Rights listed on this TX are all that's involved

MEMORANDUM

To: Transfer File 68885

From: Sharla

Date: November 8, 2001

Re: Combined Diversion Rate

On this date, Ernie Carlsen notified me of an amended transfer that occurred last week modifying the combined rate of diversion limitation under Rights 33-84, 33-85, 33-7015 and 33-10998. Because the AJ records were not immediately updated in the computer database, I prepared the transfer approval for 68885 using the old combined limitation, unaware of the amended transfer.

The transfer had not yet been mailed out when the error was brought to my attention so the approval document was changed and re-signed. The combined rate of diversion under the four rights also affected the grand total under the newly approved transfer so those changes were also made in the new approval document. The transfer had already been updated in the database, which means that I am unable to make the changes to the updated AJ records. Regional AJ staff will be responsible for changing the appropriate records to match the amended combined totals.

Ruberry, Allen

From: Ruberry, Allen
Sent: Monday, February 26, 2001 10:20 AM
To: Shaff, Don
Subject: B33-Pancheri Tx's

Per our discussion this a.m., the following is a listing of the tx's and rights involved.

Tx # 5796 (approved)
33-00090E PARTIAL DECREE issued
33-10070 BLM Objection (Sawmill Ck issue) NO PD

Basically, this tx moves these two rights onto Pancheri lands (off Oar property). The language regarding the Sawmill Ck issue of right 33-10070 is the reason for the BLM objection. However, we (Bryce and I) thought it was completed since we had bowed to BLM to adjust the language for the POD's. Now, there are the two Little Lost River rights left at the Oar place; 33-00108, 33-00110 (both PD'd), both require Remark adjustment. The Tx moves the rights to Wet creek to be delivered with other surface water rights (33-00084, 33-00085)and enlargement claim (33-10998). See Tx # 68885, below.

33-10998 was objected to because of a BLM trespass issue, Transfer # 5780 completed this task. No Partial Decree was issued; NAP, Version 2, and NCAP completed.

Now, along comes the MEGA Transfer # 68885. This Transfer seeks to make a Permissible POU of the following rights;

33-00084 NO PD- BLM Objection-Sawmill Ck issue
33-00085 NO PD
33-07015 NO PD
33-10998 NO PD
33-07202 NO PD
33-10070 ~~PD issued~~- See tx 5796 No PD
33-00090E ~~NO PD~~- See tx 5796 PD issued.
33-02066A PD issued
33-02066B PD issued
33-02065 PD issued

As we discussed, we in Adj. do not have the system capability to make changes to the PD's. The non-PD'd rights can be changed on Adj. with no real problem (NAP's, Version 2, NCAP's), however, there is specific need with this series of Tx's to know there is a finality of all rights invloved. Allocations can't do Adjudication's part and vice versa due to system capabilities, but they need done together.

As always, thanks for the HELP.....al

Ruberry, Allen

From: Ruberry, Allen
Sent: Monday, February 26, 2001 10:20 AM
To: Shaff, Don
Subject: B33-Pancheri Tx's

Per our discussion this a.m., the following is a listing of the tx's and rights involved.

Tx # 5796 (approved)
33-00090E PARTIAL DECREE issued
33-10070 BLM Objection (Sawmill Ck issue) NO PD

Basically, this tx moves these two rights onto Pancheri lands (off Oar property). The language regarding the Sawmill Ck issue of right 33-10070 is the reason for the BLM objection. However, we (Bryce and I) thought it was completed since we had bowed to BLM to adjust the language for the POD's. Now, there are the two Little Lost River rights left at the Oar place; 33-00108, 33-00110 (both PD'd), both require Remark adjustment. The Tx moves the rights to Wet creek to be delivered with other surface water rights (33-00084, 33-00085)and enlargement claim (33-10998). See Tx # 68885, below.

33-10998 was objected to because of a BLM trespass issue, Transfer # 5780 completed this task. No Partial Decree was issued; NAP, Version 2, and NCAP completed.

Now, along comes the MEGA Transfer # 68885. This Transfer seeks to make a Permissible POU of the following rights;

33-00084 NO PD- BLM Objection-Sawmill Ck issue
33-00085 NO PD
33-07015 NO PD
33-10998 NO PD
33-07202 NO PD
33-10070 PD issued- See tx 5796
33-00090E NO PD- See tx 5796
33-02066A PD issued
33-02066B PD issued
33-02065 PD issued

As we discussed, we in Adj. do not have the system capability to make changes to the PD's. The non-PD'd rights can be changed on Adj. with no real problem (NAP's, Version 2, NCAP's), however, there is specific need with this series of Tx's to know there is a finality of all rights invloved. Allocations can't do Adjudication's part and vice versa due to system capabilities, but they need done together.

As always, thanks for the HELP.....al

Transfer No. 69885

Form 222
1-87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART I

Name of Applicant Pancheri, Inc. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes to reconfigure existing rights to make irrigation system more effective.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority (cfs/ac-ft)	Amount of Use	Nature	Period of Use
33-00084	3/14/1891	2.1 cfs)	Irrigation	4/1 to 11/11
33-00085	4/15/1891	2.88 cfs) (combined	Irrigation	4/1 to 11/11
33-07015	5/22/1972	1.77 cfs) 4.89 cfs)	Irrigation	4/1 to 11/11
33-10998	4/15/1927	.71 cfs)	Irrigation	4/1 to 11/11
33-07202	11/8/1995	3.11 cfs (used with 7015)	Irrigation	4/1 to 11/11
33-10070	5/25/1891	1.5 cfs	Irrigation	4/1 to 11/11
33-00090E	4/11/1887	.4 cfs	Irrigation	4/1 to 11/11
33-02066A	11/17/1952	3.56 cfs	Irrigation	4/1 to 11/11
33-02066B	11/17/1952	.52 cfs	Irrigation	4/1 to 11/11
33-02065	11/17/1952	4.66 cfs	Irrigation	4/1 to 11/11

2. Total amount of water being transferred 18.64 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Wet Creek, Little Lost River, ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	~~SW~~ NW	NE	5	9N	27E	Butte	00084, ~~00085, 10070~~, 00090E, 10998
	NW	SE	SW	18	10N	25E	Butte	00085, 10070
	~~NW~~	~~SW~~	~~NW~~	~~36~~	~~10N~~	~~26E~~	~~Butte~~	~~00085~~
	NW	SE	NW	9	9N	27E	Butte	07015
	NW	NE	NW	16	9N	27E	Butte	07202
	NE	NW	NW	21	9N	27E	Butte	02066A
	NW	NW	SW	28	9N	27E	Butte	02066B, 02065

Transfer No. 68885

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	27E	9							40	37	34	34	34	34					213
		16					34	34	34	34	34	34	34	34					272
		21					34	34	34	34	34	34	34	34					272
		28					34	34	34	34	34	34	34	34					272
		33		12	11		40			30									93

Total Acres 1122

6. General Information:

a. Description of diversion system Mainline will run from Sec. 9 to Sec. 33 to operate 2 wheel lines and 7 pivots. Both surface and groundwater will be introduced into the mainline at various locations.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Some formerly irrigated lands will no longer be irrigated; some formerly unirrigated lands will be irrigated. Irrigated acreage will remain the same.

d. Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2000.

_____

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-00084**

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 11/01	2.10 CFS

SOURCE	TRIBUTARY OF
WET CREEK	LITTLE LOST RIVER

Priority: 03/14/1891

LOCATION OF POINT(S) OF DIVERSION: NENWNE , Sec. 5, Township 09N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

	NE								NW								SW								SE								
	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N 27E 9															36		30		39		40		38										183.0
09N 27E 16									40		26																						66.0
																															TOTAL ACRES		249.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-10998.

Claim No. 33-00084

6. **USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 249 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-10998.**

7. **THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00085 AND 33-10998.**

Describe any other water rights used for the same purpose as described above:

_____

_____

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

_____

_____

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-00085**

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 11/01	2.88 CFS

SOURCE	TRIBUTARY OF
DRY CREEK	LITTLE LOST RIVER

Priority: 04/15/1891

LOCATION OF POINT(S) OF DIVERSION:

Injection	NWSESW , Sec. 18, Township 10N, Range 25E
Rediversion	NWSWNW , Sec. 36, Township 10N, Range 26E
	NENWNE , Sec. 5, Township 09N, Range 27E
	BUTTE County

PLACE OF USE:

IRRIGATION

		NE					NW					SW					SE					
		NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SENW		NESW	NWSW	SWSW	SESW		NESE	NWSE	SWSE	SESE	
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		SUM
09N	27E 9									36		30	39	40	38							183.0
09N	27E 16						40	26														66.0
																				TOTAL ACRES		249.0

36
285

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.: 33-00084, 33-07015, AND 33-10998.

1.0 Ac

TRANS NO. 68885

Claim No. 33-00085

5. THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM THE POINT OF REDIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE.

5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00084, 33-07015, AND 33-10998.

6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00084 AND 33-10998.

Describe any other water rights used for the same purpose as described above:

_____

_____

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

_____

_____

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

Page 7 of 23 PART 2 T68885

01/31/2001

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

RIGHT NUMBER: 33-90E RECOMMENDED PER TX #5796

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

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED WITH WATER FROM LITTLE LOST RIVER BY INJECTING AN EQUAL AMOUNT FROM WET CREEK INTO LITTLE LOST RIVER.

QUANTITY: 0.4 CFS
169.8 AFY

USE OF THIS RIGHT WITH RIGHT NO. 33-10070 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 507.5 AF.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	0.40 CFS 169.80 AFY

PLACE OF USE:

IRRIGATION Within BUTTE County

T09N R27E S16	SWNW	34	T09N R27E S16	SENW	34
T09N R27E S16	NESW	34	T09N R27E S16	NWSW	34
T09N R27E S21	SWSW	9			

145 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 33-10070 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

T68885

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE SOURCE OF WATER UNDER THIS RIGHT IS LITTLE LOST RIVER. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085, 33-10998, 33-10070, 33-00090E.

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-02065**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/15 to 10/31	4.66 CFS

SOURCE

GROUNDWATER

Priority: 11/17/1952

LOCATION OF POINT(S) OF DIVERSION: NWNWSW , Sec. 28, Township 09N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
09N	27E	28					32	36	32	30	34	34	33	40					271.0
09N	27E	33		12	11		40			30									93.0
																	TOTAL ACRES		364.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 33-02066B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.18 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1274 AF.
4. USE OF THIS RIGHT WITH RIGHT NO. 33-02066B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 364 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 319 ACRES WITHIN

Claim No. 33-02065

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

5. RIGHT NO. 33-02066B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-02066A**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/31	3.56 CFS	871.5 AF

SOURCE

GROUNDWATER

Priority: 11/17/1952

LOCATION OF POINT(S) OF DIVERSION: NENWNW , Sec. 21, Township 09N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
09N	27E	21					30	30	32	31	30	33	32	31					249.0
																	TOTAL ACRES		249.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.

Describe any other water rights used for the same purpose as described above:

TRANS NO. 68885

Claim No. **33-02066A**

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-02066B**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	0.52 CFS

SOURCE

GROUNDWATER

Priority: 11/17/1952

LOCATION OF POINT(S) OF DIVERSION: NWNWSW , Sec. 28, Township 09N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE					NW					SW					SE				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		SUM
09N	27E	28										32		36		32		30		34		34		33		40								271.0
09N	27E	33				12		11				40						30																93.0
																														TOTAL ACRES				364.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 33-02065 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.18 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1274 AF.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Claim No. 33-02066B

USE OF THIS RIGHT WITH RIGHT NO. 33-02065 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 364 ACRES IN A SINGLE IRRIGATION SEASON.

6. **RIGHT NO. 33-02065 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.**

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

TRANS NO. 68885

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-07015**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 11/01	1.77 CFS

SOURCE

GROUNDWATER

Priority: 05/22/1972

LOCATION OF POINT(S) OF DIVERSION: NWSENW , Sec. 9, Township 09N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
09N	27E	9								36	30	39	40	38					183.0
09N	27E	16					26	40											66.0
																		TOTAL ACRES	249.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.: 33-00084, 33-00085, AND 33-10998.
5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE

Claim No. **33-07015**
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00084, 33-00085, AND 33-10998.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

page 17 of 23

PART 2

T68885

01/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 33-7202

Owner Type	Name and Address
Current Owner	NORTHWEST FARM CREDIT SERVICES ACA PO BOX 10 BLACKFOOT, ID 832210010
Current Owner	JERRY PANCHERI HC 65 B0X 2104 HOWE, ID 83244 (208)767-3419

Priority Date: 11/08/1995
Basis: License
Status: Valid

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/15	10/31	3.11 CFS	1050 AFA	
Total Diversion			3.11 CFS	1050 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWNENW Sec. 16 Township 09N Range 27E BUTTE County

Licensed Diversion Capacity: 3.11

IRRIGATION Use:
Acre Limit: 300

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	27E	9		SESW	11									
		16		NENW	39		NWNW	36 10		SWNW	39		SENW	39
				NESW	30		NWSW	39		SWSW	38		SESW	29

Total Acres: 300

Conditions of Approval:

1. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:

1. General Rights 33-07015 and 33-07202 when combined shall not exceed a total annual maximum volume of 1666.0 af at the field headgate, and the irrigation of 476 acres.

T68885

Upon specific notification by the Department, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 33 in accordance with the principles of conjunctive management of surface water and ground water as set forth in the Rules Governing Conjunctive Management.

Dates:

Licensed Date: 06/13/2000
Decreed Date:
Permit Proof Due Date: 9/1/95
Permit Proof Made Date: 11/8/95
Permit Approved Date: 9/4/91
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 01/17/1984
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 33
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plantiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

page 19 of 23

PART 2

T68885

01/31/2001

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

RIGHT NUMBER: 33-10070 RECOMMENDED PER TX #5796

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

SOURCE: SAWMILL CREEK TRIBUTARY: LITTLE LOST RIVER

POINT OF INJECTION INTO LITTLE LOST RIVER. POINT OF REDIVERSION FROM WET CREEK.

QUANTITY: 1.5 CFS

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

USE OF THIS RIGHT WITH RIGHT NO. 33-00090E IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 507.5 AF.

THE QUANTITY OF WATER THAT MY BE DELIVERED AT THE POINT(S) OF RE-DIVERSIION DESCRIBED BELOW IS 1.43 CFS. THIS REDUCTION IN QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION:

T09N R27E S5	NENWNE	Rediversion	Within BUTTE County
T10N R27E S18	NWSESW	Injection	Within BUTTE County
T10N R27E S18	NWSESW		Within BUTTE County

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER DIVERTED UNDER THIS RIGHT INTO LITTLE LOST RIVER AT THE POINT OF INJECTION DESCRIBED ABOVE, AND DIVERTING AN APPROPRIATE AMOUNT FROM WET CREEK AT THE POINT OF REDIVERSION DESCRIBED ABOVE.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	1.50 CFS 507.50 AFY

PLACE OF USE:

IRRIGATION Within BUTTE County

T09N R27E S16	SWNW	34	T09N R27E S16	SENW	34
T09N R27E S16	NESW	34	T09N R27E S16	NWSW	34
T09N R27E S16	SWSW	9			

145 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 33-00090E IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON.

T68885

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085, 33-10998, 33-10070, 33-00090E.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 33-00109, 33-00092D, 33-00092F.

page 21 of 23

PART 2

T68885

01/30/2001

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

RIGHT NUMBER: 33-10998 RECOMMENDED PER TX #S780

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

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.71 CFS
126 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS.: 33-00084, 33-00085, 33-10998.

PRIORITY DATE: 04/15/1927

POINT OF DIVERSION: T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-31	0.71 CFS 126.00 AFY

PLACE OF USE:

IRRIGATION Within BUTTE County

T09N R29E S9	SWNW	34.2	T09N R29E S9	SENW	1.3
T09N R29E S9	NWSW	0.5			

36 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-00084

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 - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085

T68885

THIS RIGHT IS FOR AN ENLARGEMENT OF 36.0 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Transfer No. 68885

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
			to
			to

2. Quantity and quality of return flows and location of discharge:

No change

3. Describe effects on other water uses resulting from the proposed change:

No change

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

KENT W. FOSTER NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 11th day of January, 2000.

Notary Public

My Commission Expires 11/20/2004

FOR DEPARTMENT USE ONLY

Transfer contains 23. pages and _____ attachments

Received by HWJ Date 1-12-01 Protest filed by _____

Prelim. check by HWJ Fee $70.00

Receipted by HWJ #E026431 Date 1-12-01

Published in Lewiston Trib & Times News, Idaho Statesman, Post Register, Idaho Statesman Copies of protest forwarded by _____

Pub. dates 2-15 & 2-22-2001 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

G:\WPDATA\KWF\7548\transfer of water right.app.wpd:kmc

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2001

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

RE: Amended Transfer #5780 for water right(s) 33-10998, and overlapping rights 33-84, 33-85 and 33-7015 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Pancheri:

On November 1, 2001, the Idaho Department of Water Resources (IDWR) approved Amended Transfer #5780, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

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

Respectfully,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

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:** 33-10998 AND OVERLAPPING RIGHTS 33-84, 33-85 AND 33-7015
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[] Address change

[] Substitution of Party

[X] I.C. § 42-222 transfer: **AMENDED TRANSFER # 5780**

[]	point of diversion	[X]	place of use
[]	period of use	[]	nature of use
[]	split of water right	[]	change in ownership
[X]	other: Quantity		

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

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

DATED: Dec 12, 2001

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Dec. 14, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   PO Box 2707
   Twin Falls ID 83303-2707

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   PANCHERI INC
   C/O JERRY PANCHERI PRES
   HC 65 BOX 2104
   HOWE ID 83244

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:
   Each party in the subcase, or attorney of record
   KENT FOSTER
   HOLDEN KIDWELL HAHN & CRAPO
   PO BOX 50130
   IDAHO FALLS ID 83405

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

Cheri Vandermeulen
Signature of person or attorney mailing the form

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

February 27, 2001

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

RE: Application for Transfer #68885 (33-84, 33-85, 33-7015 33-7202, 33-10070, 33-10998) and Notice of Administrative Proceeding (NAP)

Dear Mr. Foster:

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,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

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:** 33-84, 33-85, 33-7015, 33-7202, 34-10070, 33-10998
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 **68885**

[]	point of diversion	[X]	place of use
[]	period of use	[]	nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **FEB 27, 2002**

DATED: 2-28-01

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   PO Box 2707
   Twin Falls ID 83303-2707

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   KENT FOSTER
   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:

4. One copy to:
   Each party in the subcase, or attorney of record

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

Cheri Vanderwerken
Signature of person or attorney mailing the form

33-84

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

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 11am

Location: SRBA Court phone

DATED: 10/26/2000.

Brigette 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

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

July 12, 2000

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

RE: Application for Transfer #5780 (33-10998 & OVERLAPPING RIGHTS 33-00084, 33-00085, 33-07015) and Notice of Administrative Proceeding (NAP)

Dear Sir:

On June 20, 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

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: 33-10998 & OVERLAPPING RIGHTS 33-00084, 33-00085, & 33-07015**
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

[X] I.C. § 42-222 transfer **5780**

[]	point of diversion	[X]	place of use
[]	period of use	[]	nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **JULY 12, 2001**

DATED: 13 July 00

Ernest Carlson.
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 14, 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
   N/A

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

Jennifer Crabtree
Signature of person or attorney mailing the form

A33-00084
PANCHERI INC
C/O JERRY PANCHERI
HOWE ID 83244

R

Also SUB 33-07015 &
33-00085

A3300084

Sawmill Ck excl. through
W&T Chuck

Reed Lake

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: 33-00084

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 Pancheri
Please print your name: _____

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

December 14 1999

Pancheri Inc
C/O Jerry Pancheri Pres
HC 65 Box 2104
Howe ID 83244

Re: **Reed Place** Place of Use adjustments and BLM trespass acres

Dear Jerry;

Pursuant to the meeting with Rori, Rod, and Kent Foster, 12-13-99, I have adjusted the acres at the Reed Place according to our agreement to show an additional 49 acres. I am enclosing copies of the GIS and Profile Reports of the recommendations for your perusal. You should note the areas of acreage adjustments: 3 acres in the NW corner of the place of use and 46 in the SE corner. The three acres were placed in the upper corner to make the 36 acres of BLM trespass "go farther". Any remaining acres in the SE will have to be covered by Permit (License) 33-07202.

The BLM issue will require an enlargement claim of 33-00084 and 33-00085 plus a transfer to move the acres to the new place of use. I understand Kent is to prepare the documents. I am copying him on the above referenced materials as well.

As a reminder, I need the Notice of Error responses as soon as possible. However, if there are further questions or concerns please feel free to contact me.

Thank you for your timely response and attention in this important matter.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: Kent Foster

enclosures: Profile Reports of 33-07015, 00084, 00085
GIS layout
GIS work map

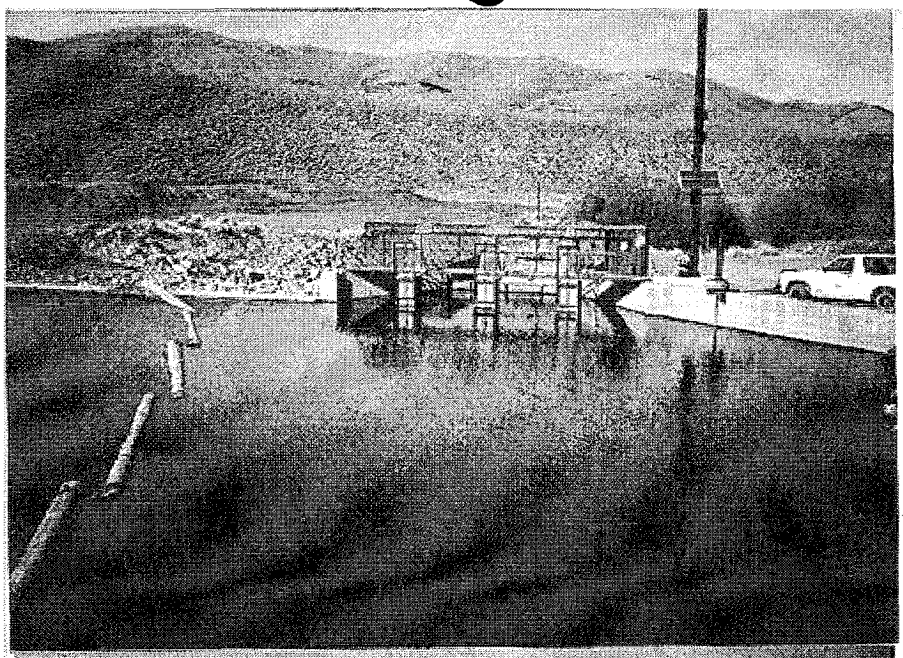


Photo 1. Intake for the Dry Creek Hydropower Aqueduct. Also serves as the point of diversion for several decreed rights from Dry Creek. These rights are now delivered as developed water ahead of and out of sequence of other decreed rights of the Little Lost River System.

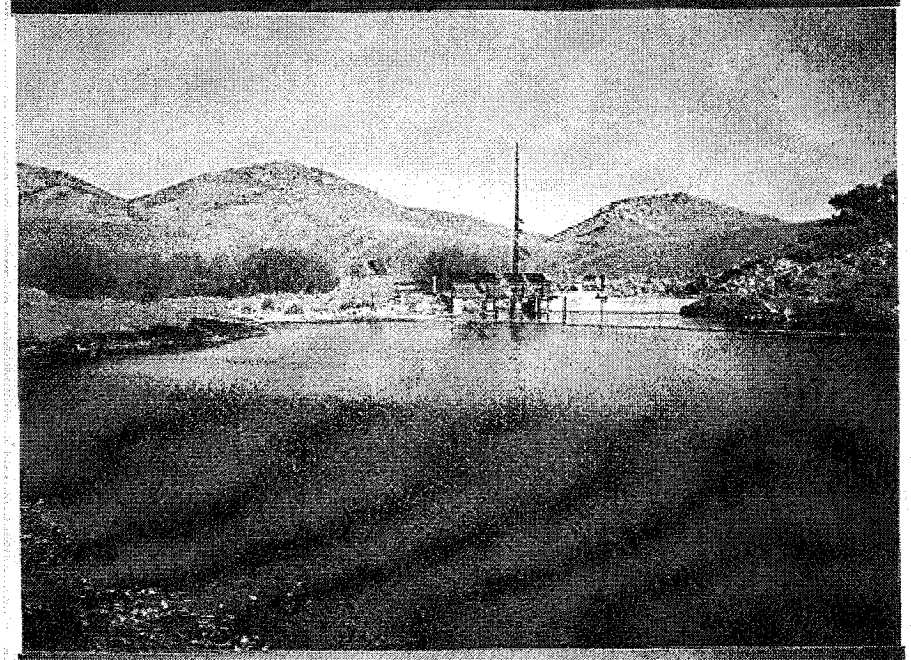


Photo 2. Dry Creek Hydro Reservoir Pool.

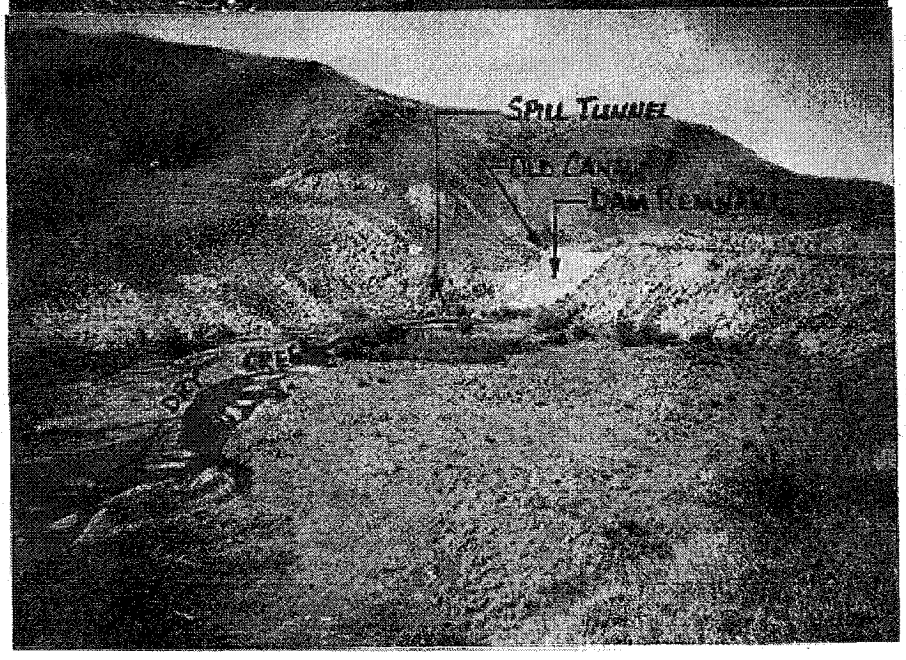


Photo 3. Old Dry Creek Dam which is referenced in the decree as the point of diversion for the Dry Creek rights. This dam was blown in the 1930's but did not fail until 1958. It was blown due to a water fight between the old settlers and the Blaine County Invest. Co.

All Photos looking Northerly.

Photos taken: 31 Oct. 95 ABR

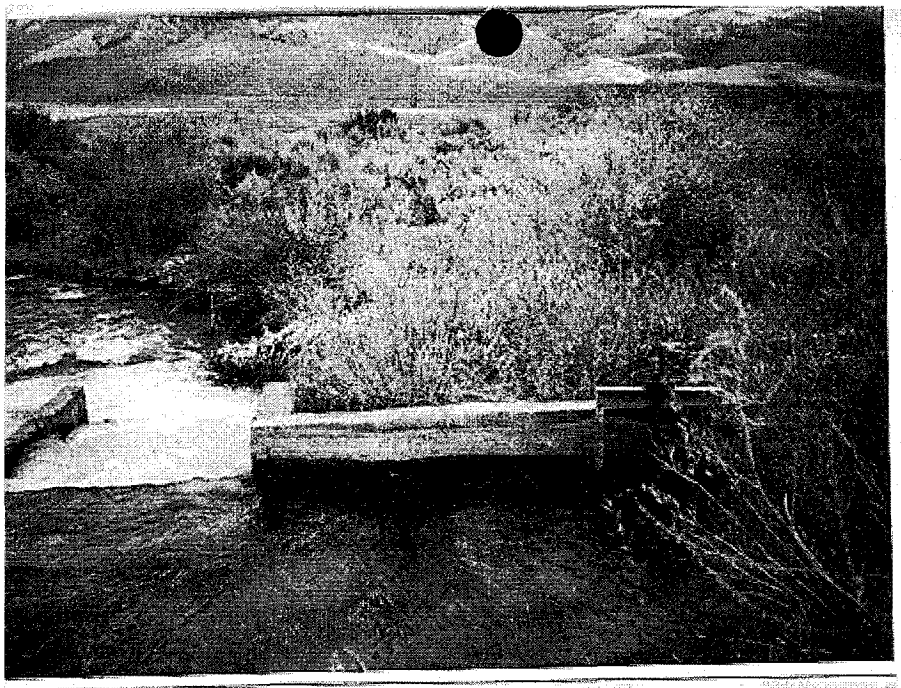


Photo 1. Diversion of Wet Ck Waters to Reed Place.
P.O.D. NENWNE Sec. 5 T. 9N, R27E.
Includes Dry Ck exchange and Sawmill Ck (Mudd Field) Waters. Decreed Rights 33-00084 & 00085
Moved without Transfer
Some of 00085 is OK.

Photo 2. Well-License 33-07015.
Enjoined to Adjudication.
P.O.D. NWSENW Sec. 9
T. 9N, R27E.

Note Ditch: Wet Ck Water from Photo 1. in Ditch —
Also note Well A33-07015 is off. Well is supplemental to the Decreed Rights A33-00084 & A33-00085.

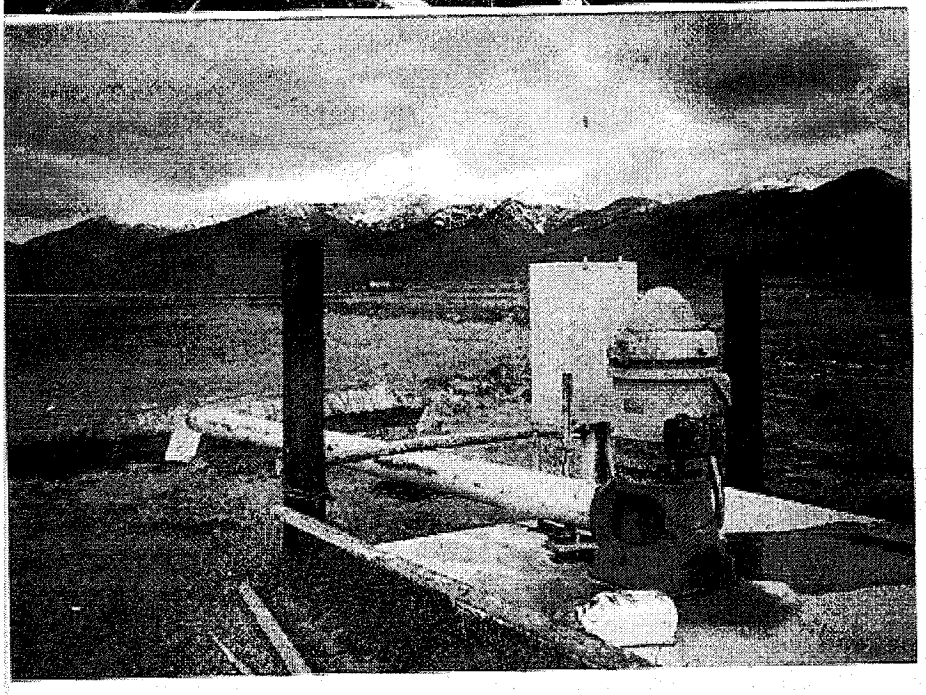


Photo 3. Well - Permit 33-07202
Not enjoined to Adjudication.
P.O.D. Listed as NENW Sec. 16
Plotted as SWSESW Sec. 9
T. 9N. R. 27E.
Permit Lapsed 1 Nov. 1995

Panchetti Pnc.
Reed Place Waters

Photos By: A. Ruberry 12 Oct 95

12 Oct 95

QUESTIONS FOR DECREED RIGHTS

RIGHTNUMBER: 00084 , OWNER _____

P R O P E R T Y D E S C R I P T I O N :
SECTION(S) ____, ____, ____, ____, ____, T. ____ N., R. ____ E.

1. WHEN DID YOU ACQUIRE THE PROPERTY? 15-16 yrs. ago w/ others

2. WHEN WAS THE WATER LAST USED ON THIS LOCATION, AS LICENSED, DECREED, OR, AS TRANSFERRED? Unknown — Water was declined to from Wet Ch DW. w/25% Loss, 50%

3. WAS THERE A TRANSFER FILED? NO YES, WHEN?
IS THE RIGHT SPLIT? NO YES, HOW?

4. WHERE WAS THIS RIGHT USED (PRE 1987)? As now
WHERE IS THE RIGHT USED NOW?

5. WHICH POINT OF DIVERSION WAS USED (PRE 1987)? Wet Ch.
WHICH POINT OF DIVERSION IS NOW USED? As now

6. ANY CHANGES IN THE PLACE OF USE (PRE 1987)? None
ANY CHANGES AFTER 1987?

7. ANY CHANGES IN THE POINT OF DIVERSION (PRE 1987)? No,
ANY CHANGES AFTER 1987?

8. Place of use - Reed Place

1/2 water of Own Place (Braberic water) moved to Wet Ch Div.
Own Kent Horse Ch & 1/2 (Braberic Water) — Transfer? From Foster

OVERLAPPING RIGHTS ANALYSIS SHEET
(COMBINED RIGHTS W/ PERMISSIBLE P.O.U.)

4/27/93 eae
VERSION 1.3

CLAIMANT: Panchero Inc.

AGENT: Rubberry DATE: 9/AN96

TOTAL ACRES 245 (COMBINED)

IRRIGATION METHOD: FLOOD 100 % SPRINKLER ____ %

DIV VOL = 245 AC. X 3.5 = 857.5 AF 646

C.U. VOL= 245 AC. X 2.5 = 612.5 AF

P.D. A ____

B ____

C ____

RTS. W/ SAME P.D. ____

ANALYSIS

ANALYSIS #	AJ NUMBER	REC. ACRES	RECOMMENDED PRIORITY	RECOMMENDED CFS	CUM. CFS
#1 WET CREEK	33-00084	245		(4.20) 2.10	
#2 DRY CREEK	33-00085	245		(3.20) 2.88	4.98
#3 GW	33-07015	245		1.77	6.75

DIVERSION RATE ANALYSIS

DIV. RATE AT 1" PER ACRE = 245 X 0.02 CFS = 4.90

DIV. RATE AT 1/2" PER ACRE = ____ X 0.01 CFS = ____

DIV. RATE AT ____ PER ACRE = ____ X ____ CFS = ____

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

** IF YES, ADDITIONAL WATER USE FORM INCLUDED? Y( ) N(X) **

REMARKS: Rights reduced to actual delivery values.

STANDARD CONDITIONS: RT.#1 ____ RT.#3 ____

RT.#2 ____ RT.#4 ____

STANDARD REMARKS:

33-00084 delivered w/ 50% Loss 4.20 ⇒ 2.10
33-00085 Delivered w/ 10% Loss 3.20 ⇒ 2.88
4.98

33-07015 · (1.77)(1.9835)(184) = 645.99 ⇒ 646

#1 R12 : 5.50 cfs, 612.5 AF, 245 AC : 33-00085, 33-07015

#2 #3 E10: 33-00084, 5.50 cfs, 612.5 AF, 245 AC.

Div Rate Comb.

4.98 cfs of Combined Decreed Rights
− .50 As 10% Ditch Loss
4.48 At Field Headgate From Decreed Rights
− 4.90 Req'd @ 0.02 cfs/ac at Field Headgate
Diff. − .52 Must be made up by the well 07015 as supplemental water.

∴ 4.98
+ .52
5.50 Req'd

TAKEN FROM: LITTLE LOST RIVER WATER DISTRIBUTION, TIM LUKE, MAY 19, 1993

THIS IS THE 33-00084 AND 33-00085 DECREED RIGHTS.
33-00084, AS 210 INCHES, 14MAR1891
SAW MILL CK (MAIN CHANNEL)
33-00085, AS 160 INCHES, 15APR1891
DRY CK (DRY CK DAM)
TAKEN AS EXCHANGE WATER FROM WET CREEK

DATE: 4/20/93

STREAM: Wet Creek

DIVERSION NAME: Pancheri, Inc.

POINT OF DIVERSION: T9N R27E Sec. 5, NENWNE

ACCESS: Vehicle - from Little Lost River Rd., turn west on Wet Creek Rd, proceed about 0.8 mi. then north on dirt trail to diversion.

USGS MAP: Mulkey Bar (name) V32 (number)

USGS MAP NAME: CORRECTED. HAWLEY MOUNTAIN NE
ALSO SEE: V33, V82 & V83

WATERMASTER CONTROL: X YES _____ NO

DIVERSION DESCRIPTION: Concrete diversion dam with two slotted openings for stoplogs approx. 7 ft. wide each, diverts water to an 18 inch culvert pipe set in drop box with trash rack. A sliding steel gate with handwheel controls amount of water thru drop box, culvert and ditch.

MEASUREMENT: A 30 inch Parshall flume set in ditch about 180 ft. below headgate. At time of inspection, flume appeared to be in good condition and set properly.

CURRENT WATER RIGHTS: See attached water rights list for rights diverted at this diversion. Rt. no. 33-0085, Dry Creek right; and 33-0084, decreed right from Sawmill Creek, are only two rights delivered at this diversion.

L-06

R 27 E

L-0

17 16
20 21

J.G. ANDREASON

29 28

See Right No 33-0084 This decree superseded by Blaine Co Investment Co. vs Mays decree dated 3-4-27

STATE OF IDAHO

---OFFICE OF STATE ENGINEER----

CERTIFICATE NO. 128, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted Sclestia S. Taylor, of Clyde, Custer County, State of Idaho, to transfer the use of one hundred sixty (160) inches of the waters of Little Lost River, County of Custer, State of Idaho, from the lands upon which it is now used, i. e., A tract of land which, when surveyed will probably be in Secs. 16 and 17, T. 11 N., R. 26 E. B. M., bounded and described as follows:- Beginning at the quarter corner on north boundary of Sec.4, T. 10 N., R. 26 E.B.M., thence north 15 chains; thence west 6 chains; thence north 65 chains; thence west 34 chains; thence north 2¼ miles, to monument from which the survey of this tract begins; thence east 10 chains; thence north 40 chains; thence west 40 chains; thence south 40 chains; thence east 29,85 chains, to point of beginning, to the following described tract,to-wit:- Southeast quarter of Northeast quarter (SE¼ NE¼), Northeast quarter of Southeast quarter (NE¼ SE¼) and South half of Southeast quarter (S½ SE¼),Section 8, Township 11 North, Range 26 East of Boise Meridian, and the North half of Northeast quarter (N½ NE¼) Section 17, and the West half of Southwest quarter (W½ SW¼) Section 9, Township 11 North, Range 26 East of Boise Meridian, said water to be diverted at a point on unsurveyed Northeast quarter of Northeast quarter (NE¼ NE¼), Sec. 10, T. 11 N., R. 26 E.B.M.

The water right appurtenant to the above described lands was adjudged by decree, dated July 6, 1905 of F. J. Cowan, Judge Pro Tem of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the matter of John W. Kyle, et al, plaintiffs, vs. E. R. Hawley,et al, defendants, title to the use of which water having been heretofore vested in the above namaddparty by proper deeds and conveyances.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this eleventh day of February, 1914.

F. P. KING,

State Engineer.

(SEAL)

XXIII.

OTTO HOEBEL, in his capacity as Administrator of the Estate of JAMES H. MUDD, Deceased:

T 128 superseded by Decree C

From Saw Mill Creek:

33 0084

210 inches, Date of priority March 14, 1891, said water to be measured at the point where it is diverted from the main channel of Saw Mill Creek:

2.10
.80
2.90

From Dry Creek:

160 inches, Date of priority April 15, 1891,

Points of diversion:

33 0085

From Saw Mill Creek: At the mouth of said stream,

From Dry Creek: At the Dry Creek Dam,

to be used upon and appurtenant to:

SWNW, NESE, S½SE, Sec 8
W½SW. Sec. 9 11/26

The Southwest quarter of the Northeast quarter, the Northeast quarter of the Southeast quarter and the South half of the Southeast quarter of Section Eight, and the West half of the Southwest quarter of Section Nine, all in Township Eleven North, Range Twenty-six East of the Boise Meridian.

SW, ~~SENW~~. Sec 9 9/27
error ≠ S½NW¼

Also, the Southwest quarter and the North half of the Northwest quarter, Section Nine, Township Nine North, Range Twenty-seven East of the Boise Meridian.

C.
≠240Ac.
Sections - 264Ac
- 24Ac.

EXCERPT FROM: PGS. 13 AND 14 - BLAINE COUNTY INVESTMENT COMPANY VS R G MAYS, ET AL, DECREE, MARCH 4, 1927

A33-00084 Pancheri, Inc. 03/14/1891

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.

T.128 Superseded by aforesaid 1927 Decree

EXCERPT FROM: PAGE 4, TIM LUKE, LITTLE LOST RIVER DISTRIBUTION, MAY 19, 1993

Water Right Number - 33-00084 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MUDD	EST. OF JAMES H.	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
03/14/1891	15 EASTERN	D - DECREED	

Source	Tributary
SAW MILL CREEK	LITTLE LOST RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			4.200	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
4.200		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11N	26E	8	SW NE			01	IRRIGATION	23 BUTTE
11N	26E	8	NE SE			01	IRRIGATION	23 BUTTE
11N	26E	8	SW SE			01	IRRIGATION	23 BUTTE
11N	26E	8	SE SE			01	IRRIGATION	23 BUTTE
11N	26E	9	NW SW			01	IRRIGATION	23 BUTTE
11N	26E	9	SW SW			01	IRRIGATION	23 BUTTE

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use - 33-0085

Remarks

TRANSFER #128 SUPERCEDED BY DECREE.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

DO NOT FILM

Water right number - 33-00084 Prefix Translation: WATER RIGHT

Decree Plaintiff	Decree Defendant	Decree Date
BLAINE COUNTY INVESTMENT CO.	ROBERT G. MAYS, ET. AL.	03/04/1927

Comments
No Comments Found

Audit Fields - 06/24/85 05/22/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	06/24/1985	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	00/00/0000	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	03/04/1927	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Pancher Inc CLAIM IDENT. NO. A33-00084

DATE RECEIVED 1/11/90 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 ___		X	
Is the consumptive use correct? N/A ___		X	
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: AC Date: 2/15/90

Claim must be returned to claimant: ___(Yes) X (No)

Claimant must be notified of modifications: ___(Yes) X (No)

Receipt Prepared by: Date:

Claim data entered by: AC Date: 2/15/90 Checked by: Date:

Sent to claimant by: Date:

Comments:

1 1 6 8 3

MICROFILMED

NOV 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
09/28/95

17

GENERAL INFORMATION

CLAIM NUMBER: A33-00084

LAST: FOSTER FIRST: KENT W
ADDRESS: HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
CITY: IDAHO FALLS STATE: ID ZIP: 83405
PHONE NUMBER: 208-523-0620

OWNER CODE: A

LAST: PANCHERI INC FIRST:
ADDRESS: % JERRY PANCHERI PRES
CITY: HOWE STATE: ID ZIP: 83244
PHONE NUMBER: 208-767-3419

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	Y(___) N(___)

CLAIM REMARKS: OTHER RIGHTS:33-02014,2056,2065,2066,2093,2108,2113,2117,2126, 7015,7027,10109,0002-13,0024-36,0039-47,0065,0068,0083-85,0087, 0088,0090,0092,0108,0109,0110,0115
CONFORMED ATTORNEY MAILING ADDRESS DMS

→ cc: Comments

FIELD EXAMINATION INFORMATION CLAIM NUMBER: A33-00084

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: __/__/__ APPOINTMENT MADE: Y(__) N(__) TIME: ___:___ A(__) P(__)

ACCOMPANIED BY: _____ PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field Exam 2 Oct. 95., 12 & 13 Oct. Meetings w/ Jerry Simmons 12 Oct. 95

PRIORITY DATE REVIEW PAGE CLAIM NUMBER: A33-00084

A. AI CLAIM: # A33-00084 PRIORITY DATE: 03-14-1891 STAGE: D

B. WR RECORD: # 33-00084 PRIORITY DATE: 03-14-1891 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(✓) SEE NOTE

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

DECREED 4 MARCH 1927

PROOF OF BENEFICIAL USE SUBMITTED N/A(___) Y(___) N(___)

FIELD EXAM COMPLETED N/A(___) Y(___) N(___)

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

LICENSE ISSUED N/A(___) Y(___) N(___)

A 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(✓)

A 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: E.) THIS RIGHT HAS APPARENTLY BEEN MOVED FROM THE DECREED PORTION OF THE PLACE OF USE IN SWNW, NESE, S2SE SEC.8 AND W2SW SEC.9 T.11N., R.26E. TO THE CURRENT PLACE OF USE IN W2NW, SW4 SEC.9, T.9N., R.27E. AT THIS POINT IT IS FELT AN ERROR IN THE DECREE EXISTS AS: SW4, (N2NW) SEC.9, T.9N.R.27E. THE W2NW IS COMPOSED OF TWO SEPERATE PARTS. THE NWNW IS ROLLING IRREGULAR AND FROM ALL APPEARANCES OF A FIELD EXAMINATION HAS NEVER BEEN UNDER IRRIGATION. THE NENW, HOWEVER, HAS UNQUESTIONABLE EVIDENCE OF IRRIGATION BUT HAS NEVER BEEN IRRIGATED BY EITHER 33-00084 OR 33-00085. THE NE NW HAS WATER DECREED FROM 33-00088, WHICH WAS/IS HELD BY FmHA, PART OF THE McDANIELS PLACE. P.O.U. OF 33-00084 AND 00085 WAS MOVED TO CURRENT P.O.U. W/O BENEFIT OF TRANSFER, BUT FAR PRIOR TO 1987.

RECOMMENDED PRIORITY DATE:

03-14-1891 AS CLAIMED

PRESUMPTION FLAG: A

REVIEWED BY _____ DATE 30 Oct 95

POINT OF DIVERSION REVIEW SHEET CLAIM NUMBER: A33-00084

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
A33-00084	05N	29E	4		SE	SE			BUTTE		
A33-00084	06N	29E	32		SW	NW			BUTTE		
A33-00084	06N	29E	32		NW	NW			BUTTE		
A33-00084	09N	27E	5		NW	NE			BUTTE		
A33-00084	09N	27E	33		NW	NE			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
*	**

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

CP3-Dead

* 68 A PREFIX CLAIMS WITH THIS POD
** 17 R PREFIX CLAIMS WITH THIS POD

SOURCE: SAW MILL CREEK TRIB: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE: NOT SPECIFIED BY DECREE EXCEPT AS "AT THE MOUTH OF SAID STREAM".

3300084 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SAW MILL 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(___)

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

A 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 2 Oct. 95 12/13 Oct. 95 NAME OF EXAMINER AB Rubeamy) Y(✓) N(___)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: THIS RIGHT AND RIGHT 33-00085 ARE DIVERTED AS EXCHANGE WATER FROM WET CREEK. APPARENTLY THIS IS AN HISTORIC PRACTICE DISCUSSED BY Tim Lukus, LITTLE LOST RIVER WATER DISTRIBUTION 19 May 93. PER LUKUS'S WORK AND WATERMASTER RECORDS SHOW THIS RIGHT DELIVERED WITH A 50% LOSS DUE TO THIS EXCHANGE FROM WET CREEK (RE: P.O.D. BELOW) SEE EXCERPTS. DUE TO THE FORGOING DISCUSSION THIS SOURCE IS BEING RECOMMENDED AS CHANGED FROM SAW MILL CK TO WET CK. NO INJURY IS APPARENT TO OTHER RIGHTS AND THIS IS AN HISTORIC PRACTICE OF USE AND DIVERSION. NO P.O.D.'s CLAIMED ARE AS DESCRIBED.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
9N.	27E	5	NE	NW	NE*		R	Butte	WET CREEK DIVERSION	

SOURCE: ~~SAW MILL CREEK~~ → WET CK. TRIB: LITTLE LOST RIVER

C@2 Δ Source
C@3 Δ POD

* 9N 27E Sec 5 (NE) NW NE
No change to P.O.D. (AS CLAIMED) only to 10 Ac. Tract.

REVIEWED BY: S B Rubenny DATE: 30 Oct. 95

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), ON SPT ATTACHMENT (___)

Photo taken 12 Oct. 95 ABR

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CLAIM NUMBER: A33-00084

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00084	IRRIGATION	FROM 04-01 TO 11-01	4.200 CFS	50% Loss ASSESSED
	TOTAL DIVERSION RATE/VOLUME		4.200 CFS	2.10 CFS DELIVERED

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00084	IRRIGATION	FROM TO	4.200 CFS	
	TOTAL DIVERSION RATE/VOLUME		4.200 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(___) AS DECREED

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(✓) N(___)

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

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

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(___) Y(___) N(✓) WATERMASTER

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(__) Y(✓) N(___)

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

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

NOTES: As DECREED "210 *INCHES, DATE OF *PRIORITY MARCH 14, 1891, IN DIVERTED FROM THE MAIN CHANNEL OF SAW MILL CREEK:" REDUCED RIGHT TO 2.10 cfs. AS DELIVERED. P.O.D. CHANGED TO WOT CK.
*SEE EXCERPT PAGE ATTACHED
RECOMMEND: 2.10 cfs AS DELIVERED; SOURCE AS WOT CK. (NO INJURY) CØ2.
SEE LAND LIST ATTACHMENT: 24 AC IN SEC. 16 NOT INCLUDED IN DECREE. OTHER ACREAGE NOT MAG. AS DECREED. CØ5.
P.O.D. CHANGED FROM "IN SAW MILL CK" TO WOT CK (SW 1/4 SEC. 5 NENWNE). ⇒ CØ3.

CØ2 - Δ SOURCE
CØ3 - Δ POD
CØ5 - Δ POU

25
CLAIM NUMBER: A33-00084

AJ CLAIM TOTAL DIVERSION RATE: 4.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 4.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(✓) N(___) DITCH IS 210 INCHES

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(___) Y(___) N(✓) WATER MASTER @ 50% LOSS => 2.10 cfs

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD WATER MASTER RECORDS (SEE NOTES pg.10), SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 245 (Taken from pou review) x 0.02 CFS/ACRE = 4.90 CFS

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(___)

1b. CALCULATIONS

4.9 cfs calc.
4.2 cfs claimed on 4689 ac.
2.1 cfs delivered to 190 ac.
50% loss by WMaster

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 245 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 857.5 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 245 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 612.5 AF/A

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

NOTES: SEE EXCERPT PAGES ATTACHED. (2)

① 31 October 1995, TELECON w/ DAVID ANDREASON, WATERMASTER DIST. 33. "3/14/1891, SAWMILL CREEK HAS A RIGHT OF 210 INCHES BUT THE RIGHT IS ASSESSED A 50% LOSS SO only 105 INCHES ARE DELIVERED. 33-00084 (THIS ABOVE DESCRIBED RIGHT) AND 33-00085 ARE THE only TWO RIGHTS DELIVERED TO PANCHERI THROUGH THE WET CREEK DIVERSION.

② ALSO. SEE Tim Luke's, Little Lost River Distribution, May 19, 1993, FOR DISCUSSION OF DELIVERY AND LOSS ASSESSMENT. EXCERPT

③ APPARENTLY THIS HAS BEEN A LONG STANDING CHANGES (EVEN) FURTHER BACK IN TIME THAN DAVID ANDREASON HAS BEEN WATERMASTER. (Some 12 yrs.)

WR RECORD CONDITIONS/~~REMARKS~~:
TRANSFER #128 SUPERCEDED BY DECREE. → CC: Comments

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.

RECOMMENDATIONS REVIEW SHEET

27

CLAIM NUMBER: A33-00084

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	04-01	11-01	4.300	_____		_____	0.0	_____
_____	OH As Decreed			_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			~~4.300~~ 2.10	_____		_____	~~0.0~~ 612.5	_____

50% DELIVERY CHARGE (2.10 cfs)

NON-IRRIGATION USES CLAIMED: S/ STOCKWATER

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

REVIEWED BY: SB Rubenacy DATE: 8 Jan 96

FLAG: C CHANGED PRIOR TO 1987 FROM DECREED POU/POD.

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

FØ5: 33-00085

E12: 5.50 cfs, 612.5 AF, 215 AC : 33-00085, 33-07015

EXPLANATORY CONDITIONS (CODE):

CØ2 – Sawmill Ck. to West Ck.

CØ5 – P.O.U. to SW. 27S From NW. 26S.

EXPLANATORY REMARKS (~~CØ3~~): D P.O.D.

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A33-00084

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00084

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE: 4.200 — EXAMINER: 4.2 w/50% loss 2.10 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-		-		33-00084	4.200

TOTAL CFS ~~4.200~~ 2.10

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) — DATABASE: N — FIELD EXAMINER: Y(___) N(___)

IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW (___) OR SEE ATTACHMENT (___)?

NOTES:

THIS RIGHT IS NOT SPLIT, IT IS CLAIMED IN-PART/IN-FULL, BUT, HAS AN OBVIOUS ACCOMPLISHED CHANGE IN THE POINT OF DIVERSION AND PLACE OF USE AS AN HISTORIC PRACTICE DATING MANY YEARS PRIOR TO 1987. C#3, C#5

ALSO, HISTORICALLY, SINCE THE ABOVE CHANGE, USE OF THIS RIGHT IS CHARGED A 50% LOSS. THESE CHANGES IN P.O.D./P.O.U. ARE NOT DOCUMENTED BY TRANSFER. THUS, THE ABOVE RIGHT IS REDUCED PER WATERMASTER ASSESSMENT OF 50% 4.20 X .50 = 2.10 cfs

AUTHENTICATION:

SIGNATURE: [signature] DATE: 3 Nov. 95

NAME OF FIELD EXAMINER: Andy B. Rubberry TITLE: Sr. Agt.

C#3 - Δ POD

C#5 - Δ POU

29
CLAIM NUMBER: A33-00084

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 ON FILE?
(✓) ORTHOPHOTOQUAD	DATE OF PHOTO 1975	IDWR ID NO. V32/33, V82/83	Y( ) N(✓)
( ) TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y( ) N( )
(✗) NAPP	DATE OF PHOTO 8-2-1987	IDWR ID NO. V83NW	Y( ) N(✓)
(✗) ASCS AERIAL PHOTO	DATE OF PHOTO See 33-00085		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 no Govt Lots		Y( ) N(✓)
( ) SCS SOIL SURVEY MAP	DATE ISSUED		Y( ) N( )
( ) SUBDIVISION PLAT MAP	DATE OF MAP		Y( ) N( )
( ) OTHER Deeds Excerpt	DATE 4 March 1927		Y(✓) N( )
( ) OTHER T. Luke, LLR Water Dist. Excerpt	DATE 19 May 93		Y(✓) N( )
( ) OTHER Landlist Attachment	DATE		Y(✓) N( )

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
( ) LICENSING FIELD EXAM	DATE OF FIELD EXAM			
( ) WATER RIGHT LICENSE	DATE LICENSE SIGNED			
( ) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED			
( ) SYSTEM DESCRIPTION	DATE DRAWN			
(✓) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	12 Oct. 1995		
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
(✗) ~~HUBBLE~~ ANALYSIS Overlapping Rights	DATE ANALYSIS COMPLETED	9 Jan 96	1	
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
( ) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED			
( ) OTHER Excerpt from FmHA Sale Doc.	DATE	28 Sept 95	1	Shows FmHA ownership of NE¼NW¼ Sec. 9 - Not Pertinent Doc.
( ) OTHER	DATE			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
09/20/95

QUICKLOOK INFORMATION

30
CLAIM NUMBER: A33-00084

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			4 oct. 95 and 12/13 Oct. 95 SBR	N	SBR 9 Jan 96	SBR 9 Jan 96	SBR 9 Jan 96	
POINT OF DIV	Y			Y				
SOURCE				Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

Presumption Code: C

Cond./Remarks

C03 P05
C05 E12
C02

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC	03/14/1991	IRRIGATION	04-01	11-01	4.20 CFS	
				TOTAL DIVERSION:		~~4.20~~ CFS	

Water Source: ~~SAW MILL CREEK~~ WET CK*

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:

~~T05N R29E S04~~	~~SENE~~	~~BUTTE County~~
~~T05N R29E S05~~	~~SWNW~~	~~BUTTE County~~
~~S25~~	~~NENW~~	~~BUTTE County~~
T09N R27E S05	NWNE — WET CK DIV.	BUTTE County
~~S32~~	~~NESW~~	~~BUTTE County~~

Place of use Legal Description for: IRRIGATION

T	R	S	NE NENE Lt Ac	NE NWNE Lt Ac	NE SWNE Lt Ac	NE SENE Lt Ac	NW NENW Lt Ac	NW NWNW Lt Ac	NW SWNW Lt Ac	NW SENW Lt Ac	SW NESW Lt Ac	SW NWSW Lt Ac	SW SWSW Lt Ac	SW SESW Lt Ac	SE NESE Lt Ac	SE NWSE Lt Ac	SE SWSE Lt Ac	SE SESE Lt Ac	SUM
~~05N~~	~~29E~~	3		39	40							40	40						159.0
05N	29E	5	40	40	40	40		38		30					40	40	35	40	383.0
05N	29E	9	28																28.0
05N	29E	10														40	40	40	120.0
05N	29E	11									40	40	40	40	40	40	40	40	320.0
05N	29E	12									40	40	40	40					160.0
05N	29E	13	40	40	40	39	40	40	40	40	40	40	40	40	39	40	40	40	638.0
05N	29E	14	40	40	37	40	40			40			30				31		328.0
06N	29E	29									40		38	40	40	40	40	40	278.0
06N	29E	30												37			40	40	107.0
06N	29E	31	33	40			18												91.0
06N	29E	32			39		35	37	10	38	14				40	35	35	35	313.0
06N	29E	33											38	37			40		117.0
08N	27E	9		24	15		35	14	02	40	35			32		35	40		253.0
09N	27E	9					39	39	39	39	39	39	39	39					312.0
09N	27E	16					39	39	39	39	39	39	39	39					312.0
09N	27E	21					33	33	33	33	33	33	33	33					264.0
09N	27E	28					33	33	33	33	33	33	33	33					264.0
09N	27E	29		18	29		40			40					04			07	138.0
09N	27E	34									06	08	40	35			05		94.0
																	TOTAL ACRES		4699.0

POU County: BUTTE

Non-Irrigation Uses: S/ STOCKWATER

Other Rights: SEE REMARKS

Remarks: OTHER RIGHTS: ~~33-02014,2056,2065,2066,2093,2100,2113,2117,2156,~~ 7015, ~~7037,10105,0002-13,0021-35,0029-47,0055,0060,0083~~-85, ~~0087~~,

(84)

* DUE TO AN UNDOCUMENTED CHANGE IN POD. FROM SAWMILL CK TO DRY CK THE WATER MASTER ONLY DELIVERS 50% OF THIS RIGHT. 50% IS CHARGED TO LOSS. A LONG STANDING PRACTICE. CFS REDUCED TO 2.10 CFS.

* THIS CLAIMED SOURCE IS BEING RECOMMENDED AS CHANGED TO WET CK BASED ON ITS MORE RECENT HISTORIC USE AND LOSS ASSESSMENT.

Remarks: ~~0002,0030,0092,0138,0163,0170,0175~~ CONFORMED ATTORNEY MAILING ADDRESS DMS ⇒ documents

Dates: Exam Made Date: Verified Date:

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

Presumption FLAG: C SCS pg. 3
Ambiguity in Decree of POU.
Also, Change in POD/POU
Recommended change in Source
Sawmill Ck to unt ch.

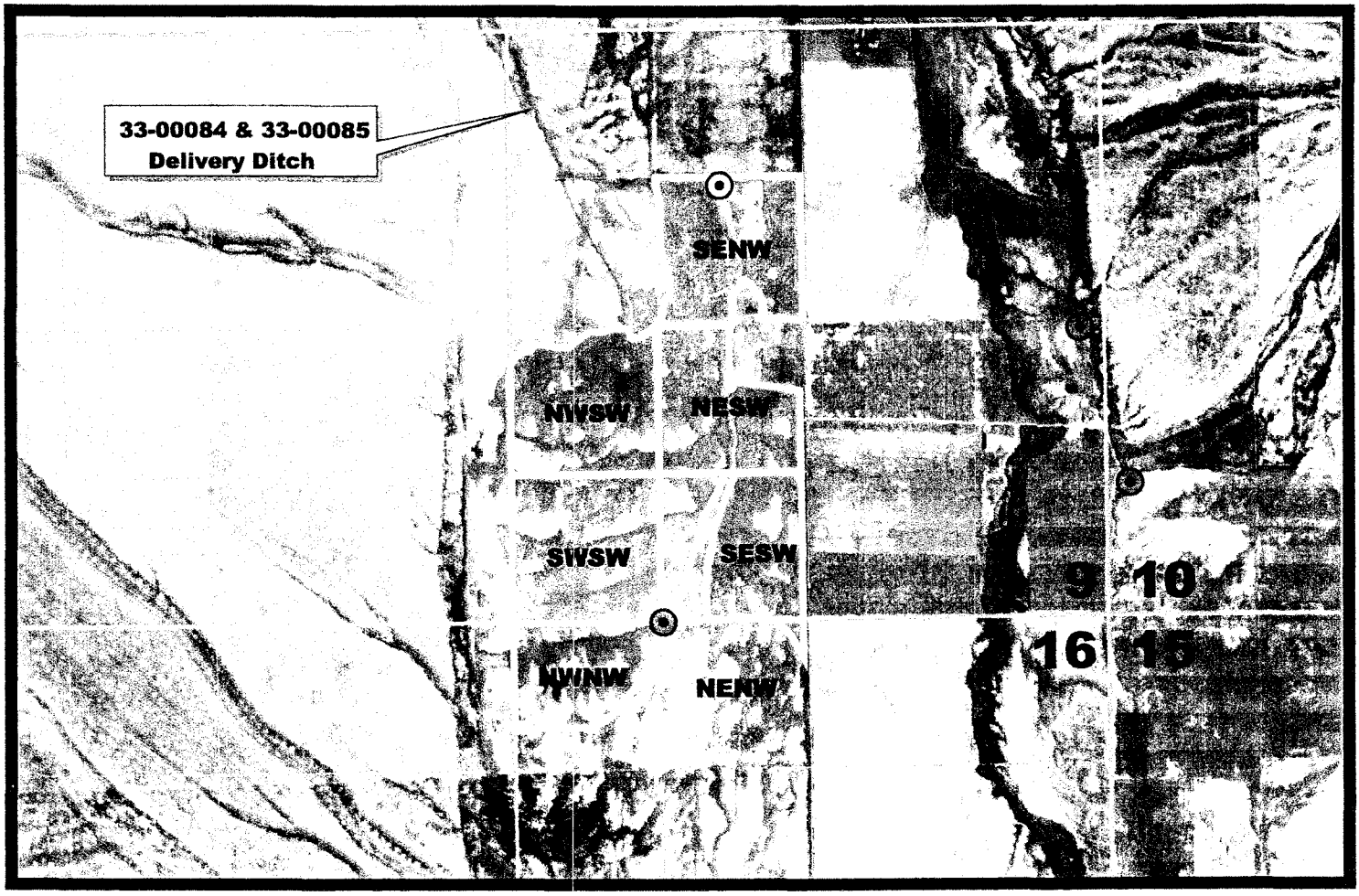
Conditions/Remarks
c@3
c@2 c@5

STATE OF IDAHO
Department of Water Resources
Eastern Region

Revised 12/13/99 AR

Claimant: Pancheri Inc.

Water Right(s): 33-00084, 33-00085, 33-07015



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

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. 9 (parts of) SW, SENW
Sec. 16 (parts of) N2NW

Point(s) of Diversion: T.9N., R.27E.
Sec. 5 NENWNE (surface)
Sec. 9 NWSENW (well)

N

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

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

2002 MAY 20 PM 4: 18
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 33-00084

NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS, ID 83405

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 2.10 CFS
367.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.98 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS. 33-84,33-85, 33-7015, 33-10998.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 18.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3927.0 AF. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-10070, 33-10998

PRIORITY DATE: 03/14/1891

POINT OF DIVERSION: T09N R27E S05 LOT 02 (NENWNE) Within Butte County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	2.10 CFS 367.50 AFY

PLACE OF USE: Irrigation — Within Butte County

T09N R27E S09	SWNW 40.0	SENW 37.0
	NESW 34.0	NWSW 34.0
	SWSW 34.0	SESW 34.0
S16	NENW 34.0	NWNW 34.0
	SWNW 34.0	SENW 34.0
	NESW 34.0	NWSW 34.0
	SWSW 34.0	SESW 34.0
S21	NENW 34.0	NWNW 34.0
	SWNW 34.0	SENW 34.0
	NESW 34.0	NWSW 34.0
	SWSW 34.0	SESW 34.0
S28	NENW 34.0	NWNW 34.0
	SWNW 34.0	SENW 34.0
	NESW 34.0	NWSW 34.0
	SWSW 34.0	SESW 34.0
S33	NWNE 12.0	SWNE 11.0
	NENW 40.0	SENW 30.0

1122.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-84, 33-85, 33-7015 AND 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 105 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 1122 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A,

PLACE OF USE (continued)

33-2066B, 33-7015, 33-10070, 33-10998.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Form No. 42-1409(2)a 1/88

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 _____
Date Received _____
Receipt Number _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Pancheri, Inc. Phone (208) 523-0620

Mailing Address c/o Holden, Kidwell, Hahn & Crapo, P.O. Box 50130, Idaho Falls, Idaho Zip 83402

2. Date of Priority (Only (1) per claim) March 14, 1891

3. Source of water supply (a) Little Lost River (and ground water under right no. ~~33-07015~~ 00084)
which is tributary to (b) sinks

4.a. Location of existing point of diversion is: Township 9 North Range 27 East Section 5, NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, _____B.M., County of Butte

Additional points of diversion if any: Township 9 North Range 27 East Section 9, NWSENW

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. For rights nos. 33-00084 and 33-00085: headgate and wet creek ditch place of use; under right no. 33-07015: well and pump.

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 6.75 cfs or _____

7. Total quantity claimed (a) 6.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fu[redacted]eg. Domestic: Give number of household[redacted]erved; Stockwater: Type and number of livestock Etc.) _____

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	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	27E	8	10			2					11							13	36

Total number of acres irrigated 36

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

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.
    _____ or None (x)

14. Remarks:
This land is owned by BLM but has been irrigated with water rights 33-00084, 33-00085 and 33-07015 from the times each of the perspective water rights was appropriated. An application for transfer from the BLM land to other land owned by applicant is being filed contemporaneously with this enlargement claim.

15. Basis of Claim: Idaho Code §42-1426

    If applicable provide IDWR Water Right Number _____
    Court _____ Case Number _____ Decree Date _____
    Plaintiff vs Defendant _____

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 _____

    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 _____

Last Name Pancheri Ident. Number _____

For Organizations: I do solemnly swear or affirm that I am _____ of _____, that
Title Organization
I have signed the foregoing document in the space below as _____
Title
of _____ and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or_____)
) SS.
County of_____)

Subscribed and sworn (or affirmed) before me this _____ day of _____, 2000.

Notary Public _____
Residing at _____
My Commission Expires _____

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.

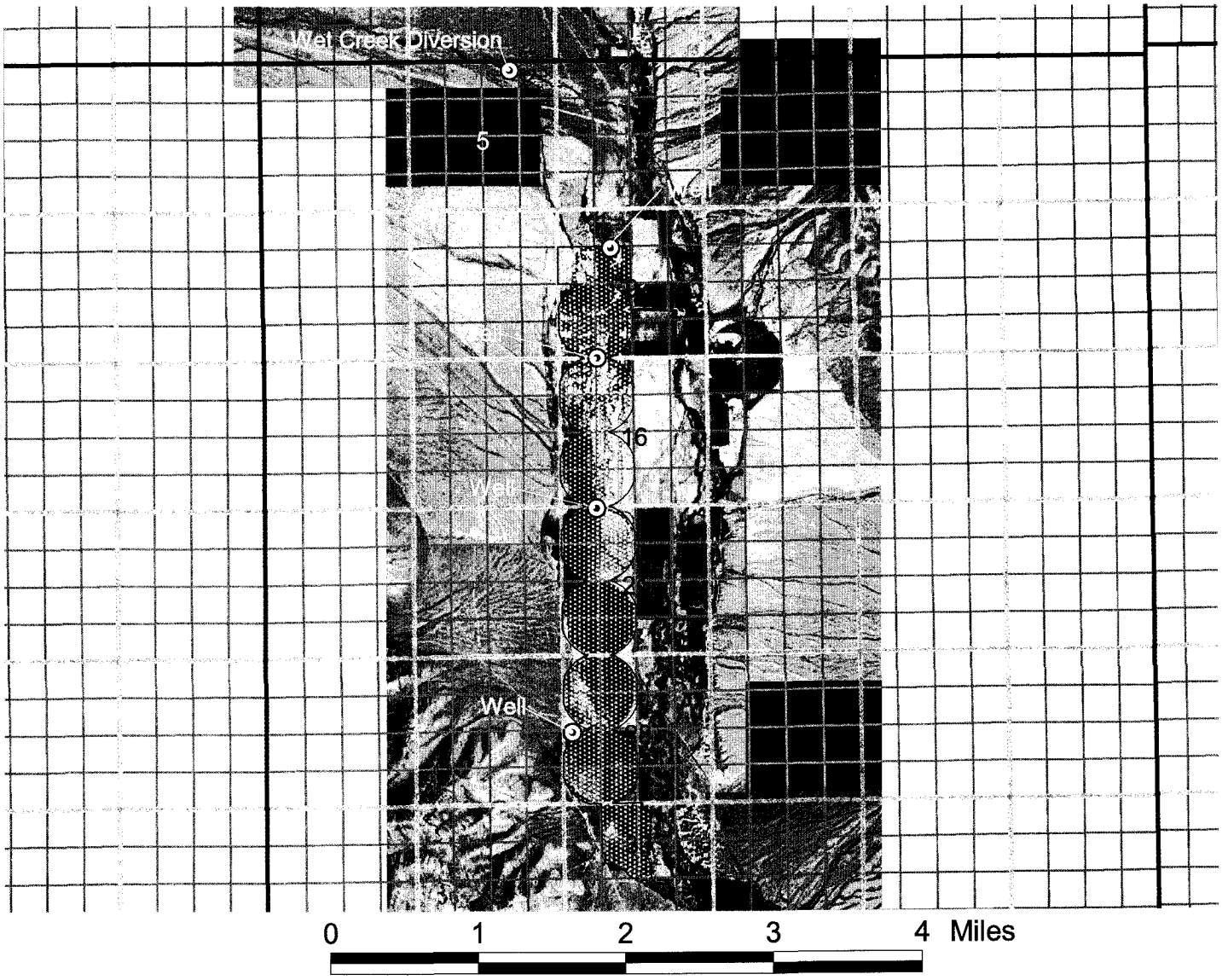
Signature _____
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date _____

G:\WPDATA\KWF\7548\2CLAIM.NTC:kmc

Last Name Pancheri Ident. Number _____

Department of Water Resources

Claim No.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998



Irrigated Acres = 1122

- Pod.shp
- T68885.shp
- Townships
- Sections
- QQ

N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2002

01/07/2002

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

RIGHT NUMBER: 33-84

NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 2.100 CFS
367.50 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.98 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS.: 33-84, 33-85, 33-7015, 33-10998.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 18.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3927.0 AF. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

PRIORITY DATE: 03/14/1891

POINT OF DIVERSION:
T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.100 CFS 367.50 AFY

PLACE OF USE: IRRIGATION Within BUTTE County

T09N R27E S16	NENW	34.0	T09N R27E S16	NWNW	34.0
T09N R27E S16	SWNW	34.0	T09N R27E S16	SENW	34.0
T09N R27E S16	NESW	34.0	T09N R27E S16	NWSW	34.0
T09N R27E S16	SWSW	34.0	T09N R27E S16	SESW	34.0
T09N R27E S21	NENW	34.0	T09N R27E S21	NWNW	34.0
T09N R27E S21	SWNW	34.0	T09N R27E S21	SENW	34.0
T09N R27E S21	NESW	34.0	T09N R27E S21	NWSW	34.0
T09N R27E S21	SWSW	34.0	T09N R27E S21	SESW	34.0
T09N R27E S28	NENW	34.0	T09N R27E S28	NWNW	34.0
T09N R27E S28	SWNW	34.0	T09N R27E S28	SENW	34.0
T09N R27E S28	NESW	34.0	T09N R27E S28	NWSW	34.0
T09N R27E S28	SWSW	34.0	T09N R27E S28	SESW	34.0
T09N R27E S33	NWNE	12.0	T09N R27E S33	SWNE	11.0
T09N R27E S33	NENW	40.0	T09N R27E S33	SENW	30.0
T09N R27E S09	SWNW	40.0	T09N R27E S09	SENW	37.0
T09N R27E S09	NESW	34.0	T09N R27E S09	NWSW	34.0
T09N R27E S09	SWSW	34.0	T09N R27E S09	SESW	34.0

1122 ACRES TOTAL

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-84, 33-85, 33-7015, 33-10998.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1122 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 105 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

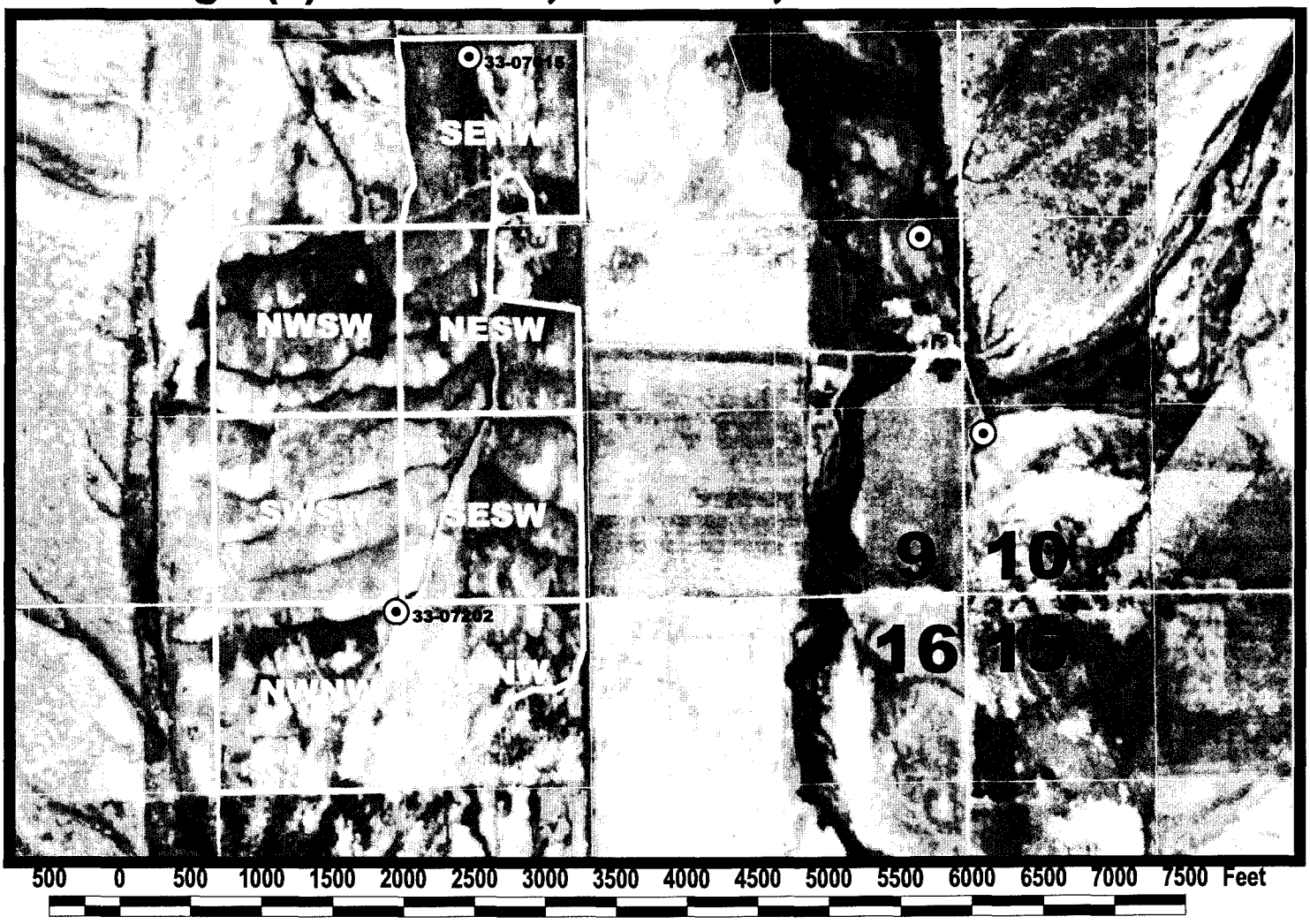
The right holder shall accomplish the change authorized by this transfer by November 7, 2002.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: Pancheri, Inc.

Water Right(s): 33-07015, 33-00084, 33-00085



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. 9 (parts of) SW, SENW,
Sec. 16 (part of) N2NW

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

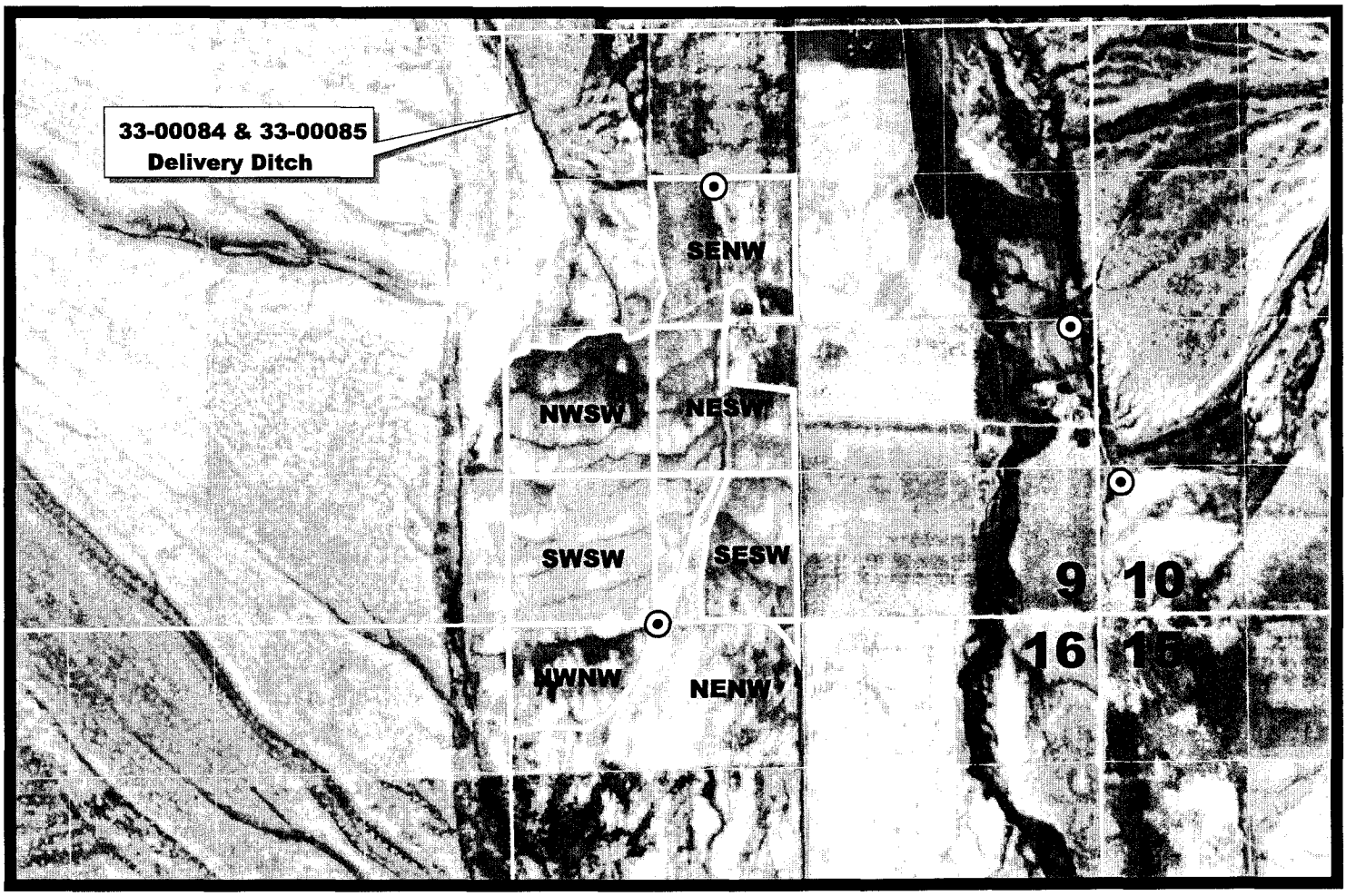
N

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

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00084, 33-00085, 33-07015



LEGEND

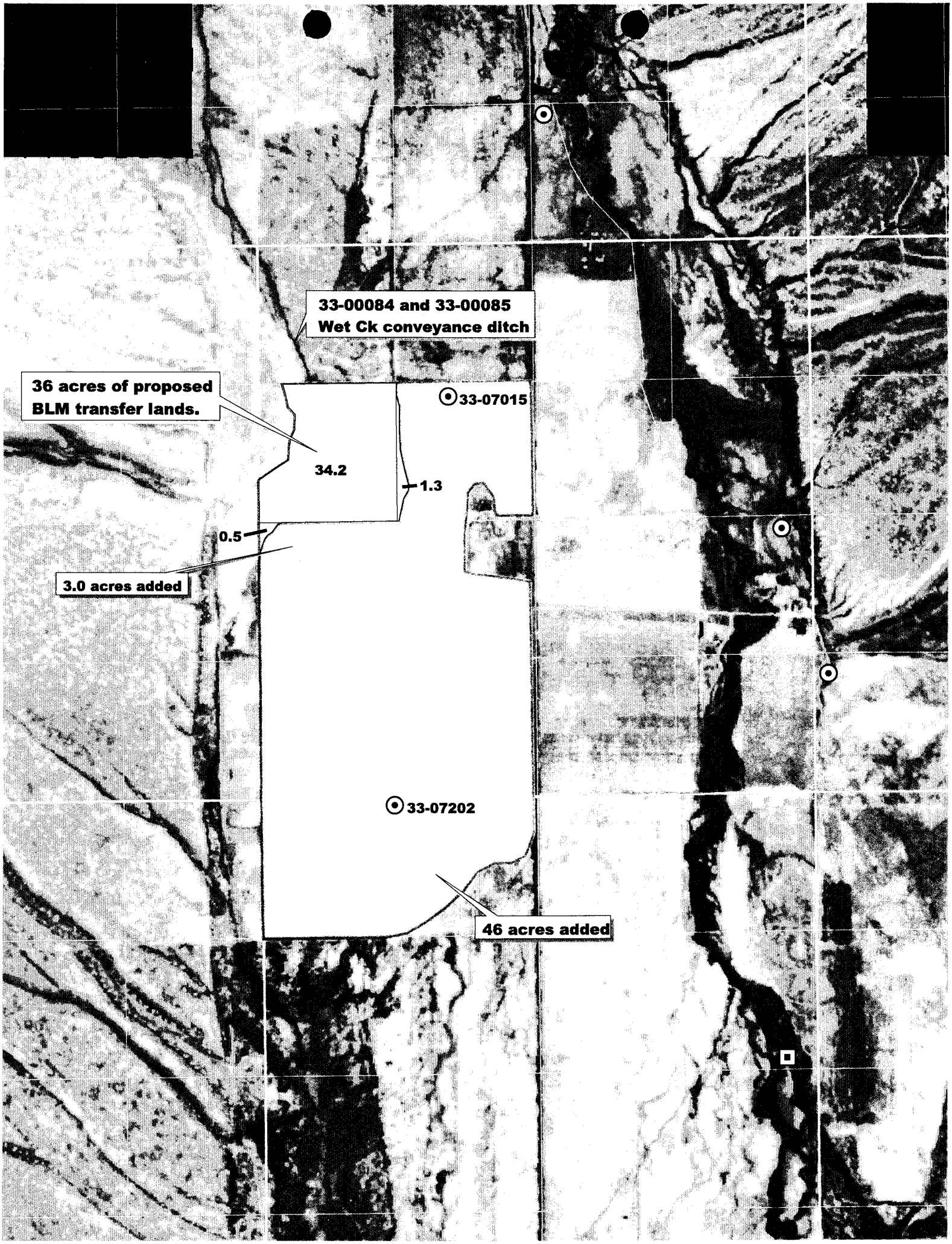
- ⊙ Point of Diversion- GW
- ▣ Point of Diversion- SW
- SESE Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.9N., R.27E.
Sec. 9 (parts of) SW, SENW
Sec. 16 (parts of) N2NW

Point(s) of Diversion: T.9N., R.27E.
Sec. 5 NENWNE (surface)
Sec. 9 NWSENW (well)

N

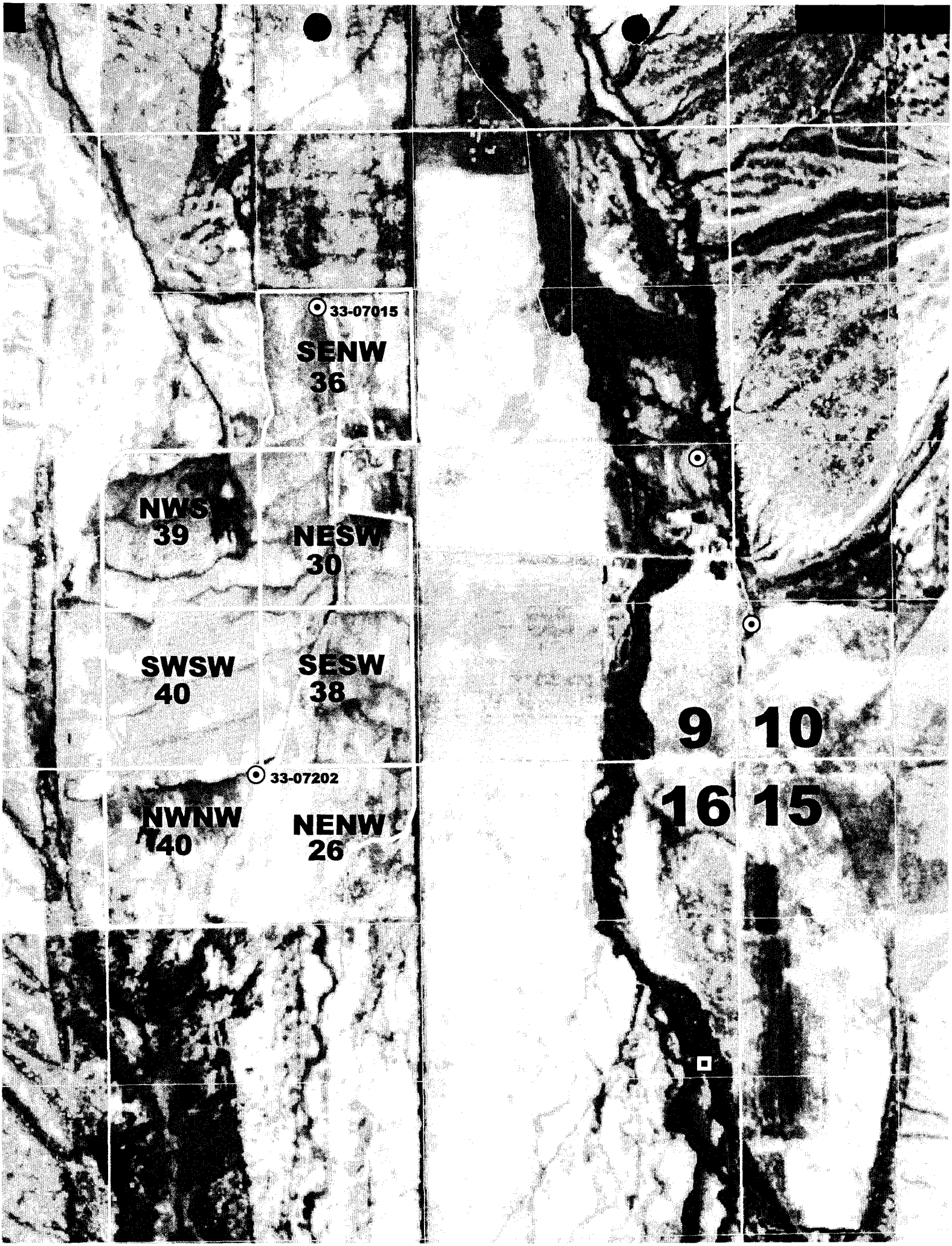
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: September 1999


33-00084 and 33-00085
Wet Ck conveyance ditch
36 acres of proposed
BLM transfer lands.
33-07015
34.2
1.3
0.5
3.0 acres added
33-07202
46 acres added

Needs Enlarg. Clause
of 84 & 85

36 Ac.

As PPN 07015, 84 & 85


33-07015
SENW
36
NWSW
39
NESW
30
SWSW
40
SESW
38
9
10
33-07202
16
15
NWNW
40
NENW
26

12/07/2001

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

RIGHT NUMBER: 33-84

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

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 2.100 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.98 CFS. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-10998.

PRIORITY DATE: 03/14/1891

POINT OF DIVERSION: T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	2.100 CFS

PLACE OF USE: IRRIGATION Within BUTTE County

T09N R27E S16	NENW	26.0	T09N R27E S16	NWNW	40.0
T09N R27E S09	SENW	36.0	T09N R27E S09	NESW	30.0
T09N R27E S09	NWSW	39.0	T09N R27E S09	SWSW	40.0
T09N R27E S09	SESW	38.0			

249 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 105 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00085 AND 33-10998.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC C/O JERRY PANCHERI PRES HC 65 BOX 2104 HOWE ID 83244 (208) 767-3419	03/14/1891	IRRIGATION	04-01	11-01	2.100 CFS	
				TOTAL DIVERSION:		2.100 CFS	

Water Source: WET CREEK Tributary to: LITTLE LOST RIVER Stage: DECREED

Point(s) of Diversion: T09N R27E S05 NENWNE BUTTE County

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	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
09N	27E	9								36	30	39	40	38					183.0
09N	27E	16					40	26											66.0
																		TOTAL ACRES	249.0

POU County: BUTTE

Other Rights: 33-00085, 33-07015

Conditions of Approval:

C02 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.: 33-07015 AND 33-00085.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 249 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015 AND 33-00085.

EXP RIGHT NO. 33-00085 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

POU Bo# 23

POD Bo# 36

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

Misc: Water District Number: 33 Field Inspection Flag:
Presumption Flag: C

Comments: Date: 01/08/1996 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: 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: 12/13/1999 User-ID: ARUBERRY Subject: N-O-E ADJUSTMENT
PLACE OF USE WAS ADJUSTED +49 ACRES AS NOE SETTLEMENT.

Audit: 12/13/99 ARUBERRY

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: **A33-00084**
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 14, 1891

3. Source: SAW MILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

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

5. Description of diverting works:
   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	4.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   S/ STOCKWATER

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

MICROFILMED
NOV 18 1992

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

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

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

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

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

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) vs MAYS ET AL. (Decree Defendant)

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NOV 18 1992

Form No. 42-1409(2)a 1/88

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: o 39576
Ident. Number A33-0084
Date Received 1/11/90
Receipt Number E 011683

A3300084

RECEIVED
JAN 11 1990
Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Pancheri, Inc. Phone (208) 767-3419
% Jerry Pancheri, President

Mailing Address Howe, Idaho Zip 83244

2. Date of Priority (Only (1) per claim) March 14, 1891

3. Source of water supply (a) Saw Mill Creek

which 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 Butte

Additional 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.

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NOV 18 1992

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	4.20	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) 4.20 (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	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					298
6N	29E	29									40		38	40	40	40	40	40	278
		30												27			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 33-0084

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NOV 18 1992

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 33-0084
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 (Title) of Pancheri, Inc. (Organization), that I have signed the foregoing document in the space below as President (Title) of said corporation (Organization) and that the statements contained in the 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 33-0084

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NOV 18 1992

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

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 33-0084

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NOV 18 1992

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

RIGHT #	RIGHT #
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	33-0042
under Idaho Code §42-1416(2))	33-0043
33-0002	33-0044
33-0003	33-0045
33-0004	33-0046
33-0005	33-0047
33-0006	33-0065
33-0007	33-0068
33-0008	33-0083
33-0009	33-0084
33-0010	33-0085
33-0011	33-0087
33-0012	33-0088
33-0013	33-0090
33-0024	33-0092
33-0025	33-0108
33-0026	33-0109
33-0027	33-0110
33-0028	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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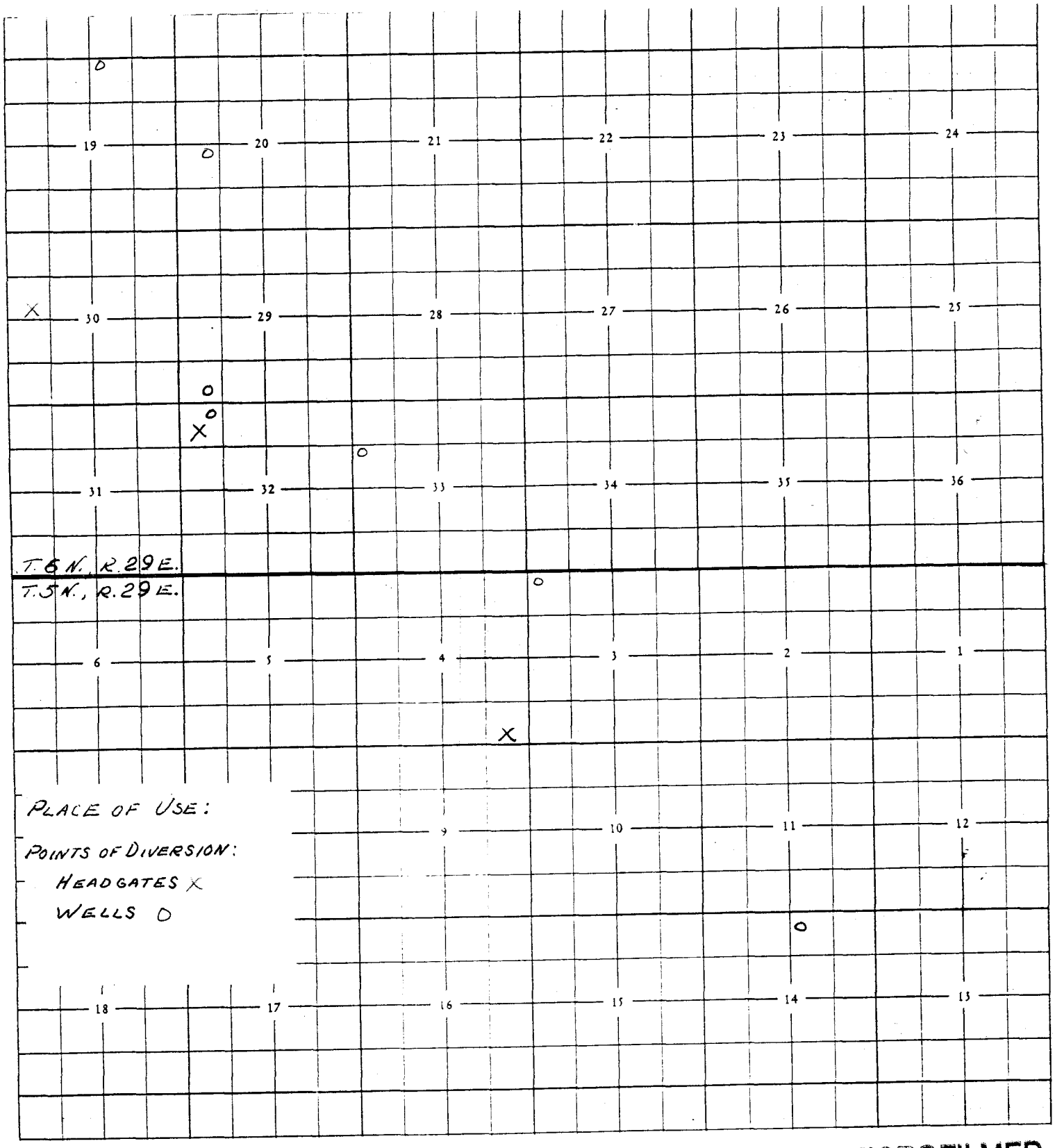

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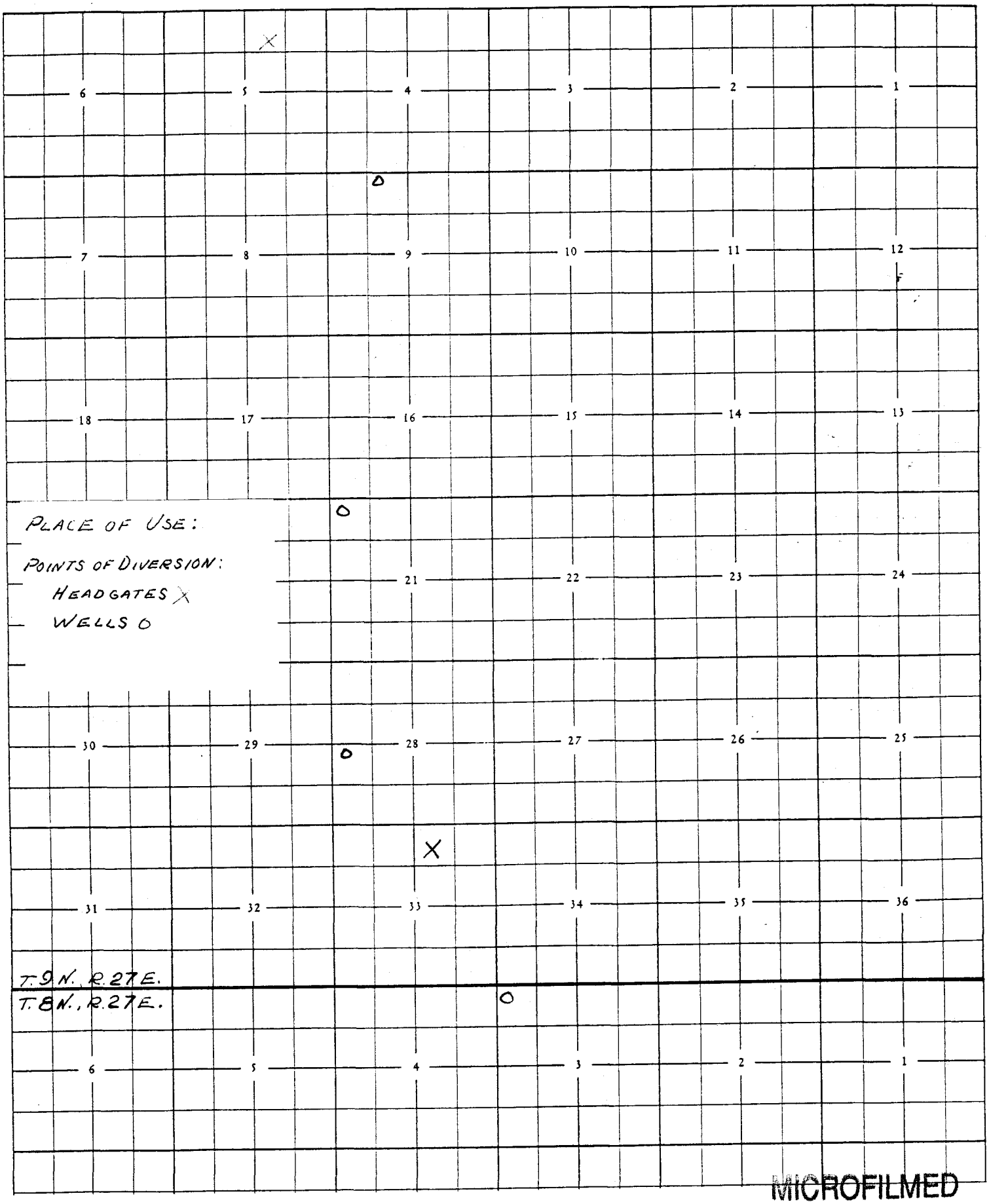
NOV 18 1992



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