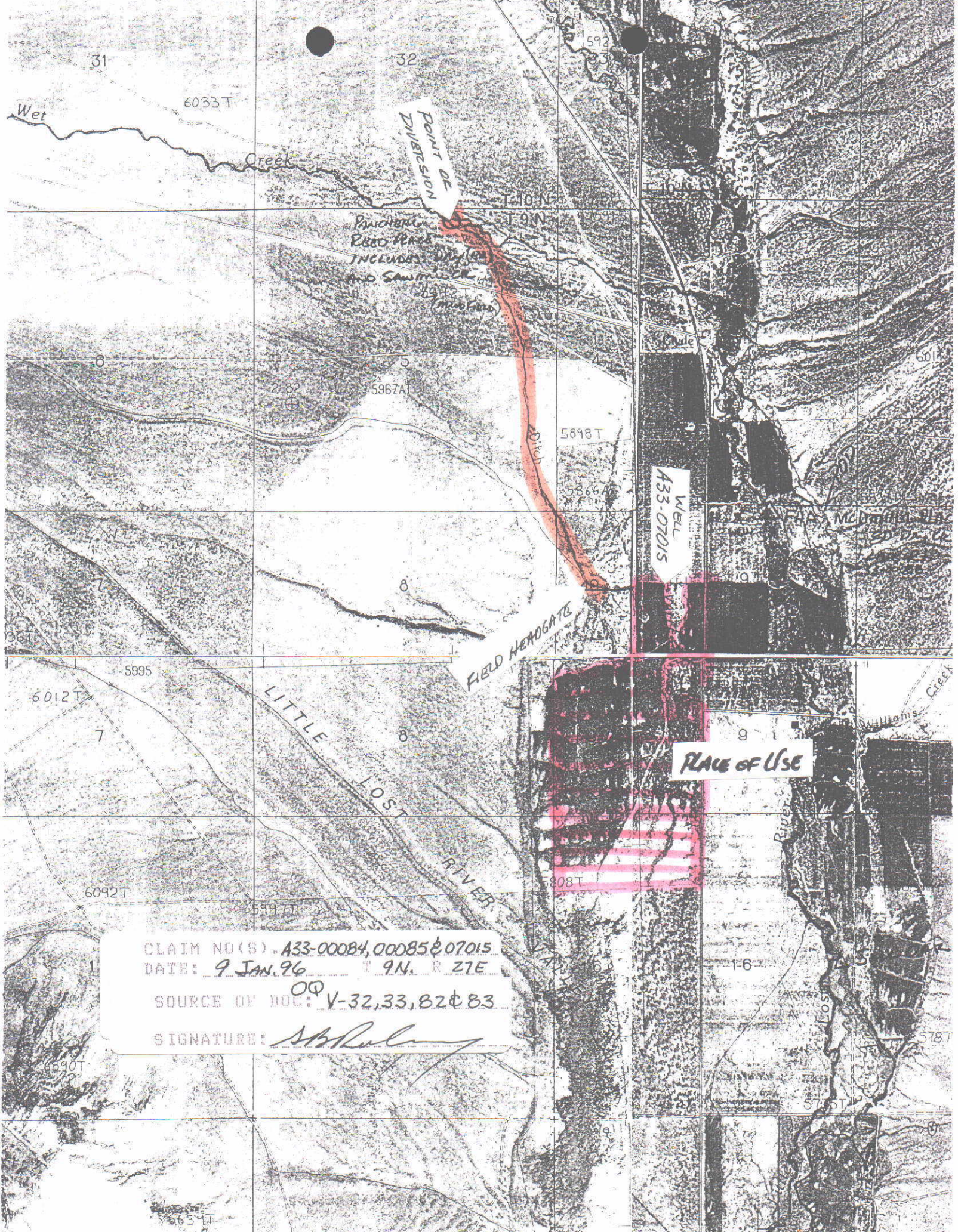




CLAIM NO(S) A33-00084, 00085 & 07015
DATE: 9 JAN. 96
SOURCE OF DOC: V-32, 33, 82 & 83
SIGNATURE: [Signature]



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.

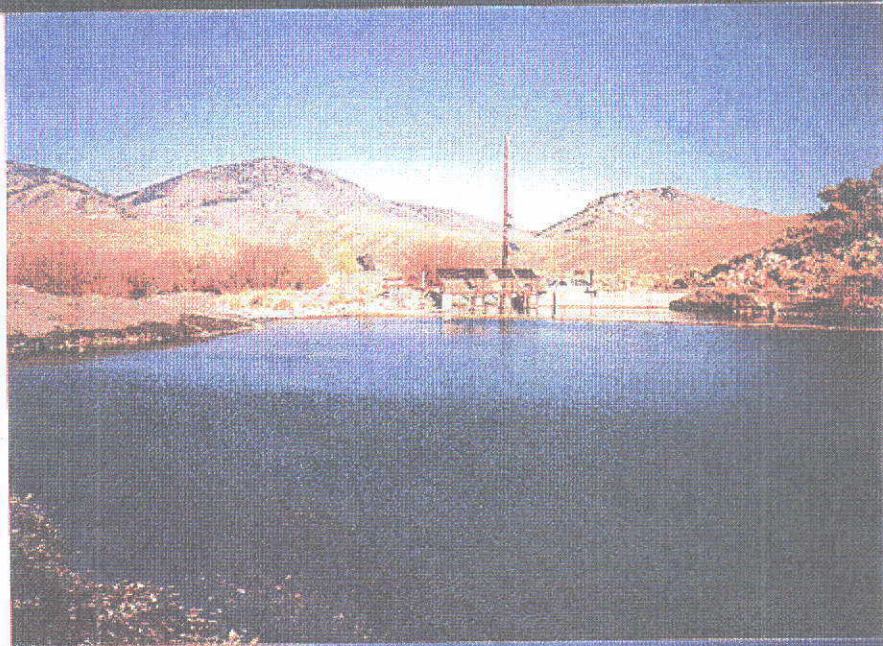


Photo 2. DRY CREEK HYDRO RESERVOIR POOL.

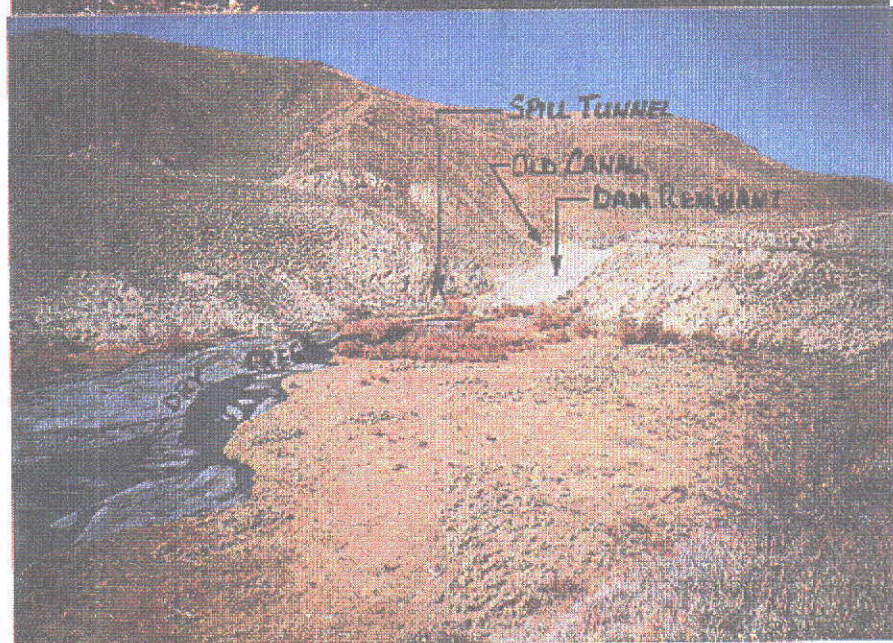


Photo 3. OLD DRY CREEK DAM WHICH IS REFERENCED IN THE DECREE AS THE POINT OF DIVERSION FOR THE DRY CREEK RIGHTS. THIS DAM WAS BLOWN IN THE 1930'S BUT DID NOT FAIL UNTIL 1958. IT WAS BLOWN DUE TO A WATER FIGHT BETWEEN THE OLD SETTLERS AND THE BLAINE COUNTY INVEST. Co. ALL PHOTOS LOOKING NORTHERLY. PHOTOS TAKEN: 31 Oct. 95 ABR

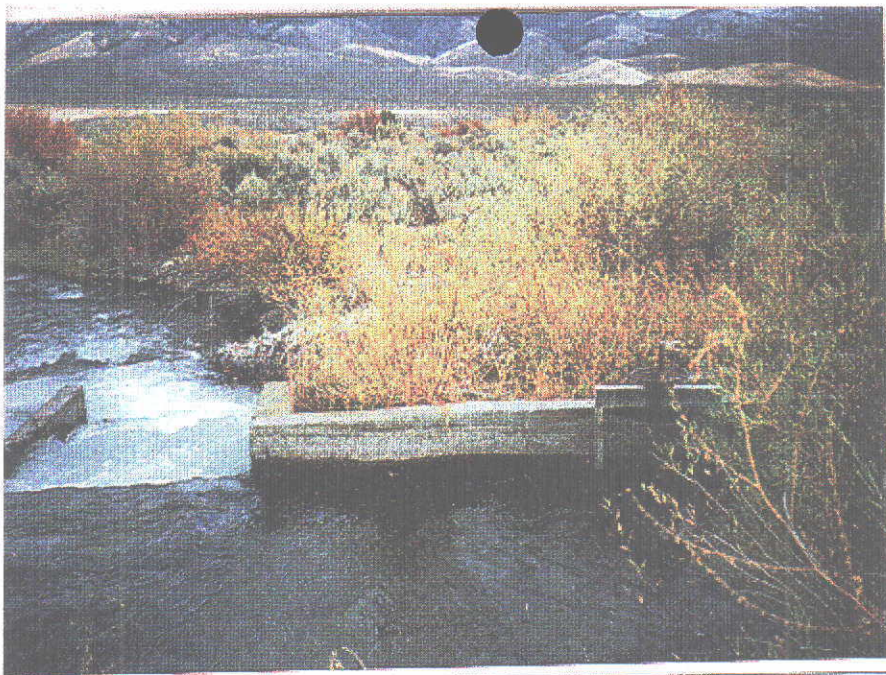


Photo 1. DIVERSION OF WET CK
WATERS TO REED PLACE.

P.O.D. NENW NE SEC. 5 T. 9N, R. 27E.

INCLUDES DRY CK EXCHANGE AND
SAWMILL CK (MUD 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. NWSE NW SEC. 9
T. 9N, R. 27E.

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.

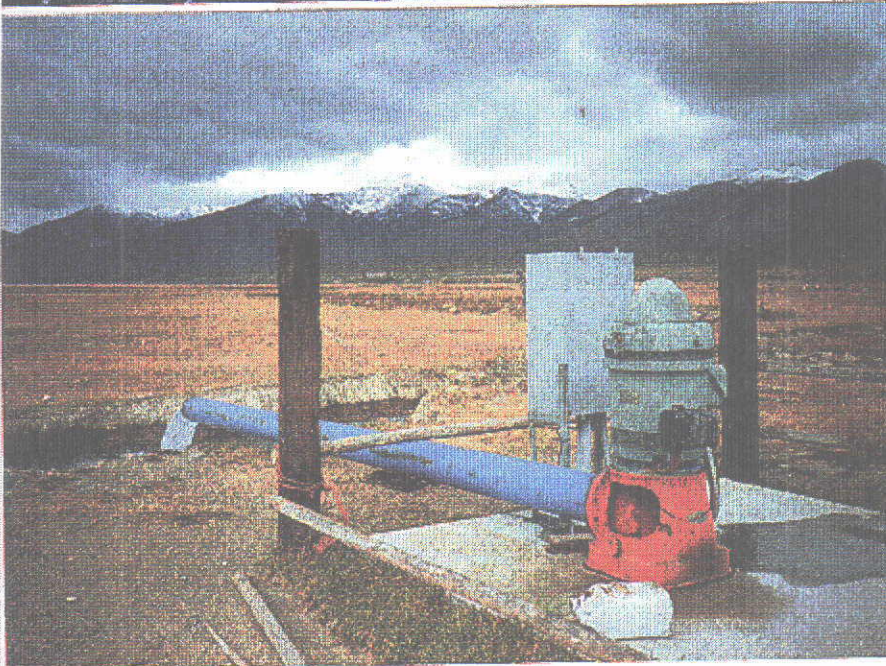


Photo 3. Well-Permit 33-D7202

NOT ENJOINED TO ADJUDICATION.

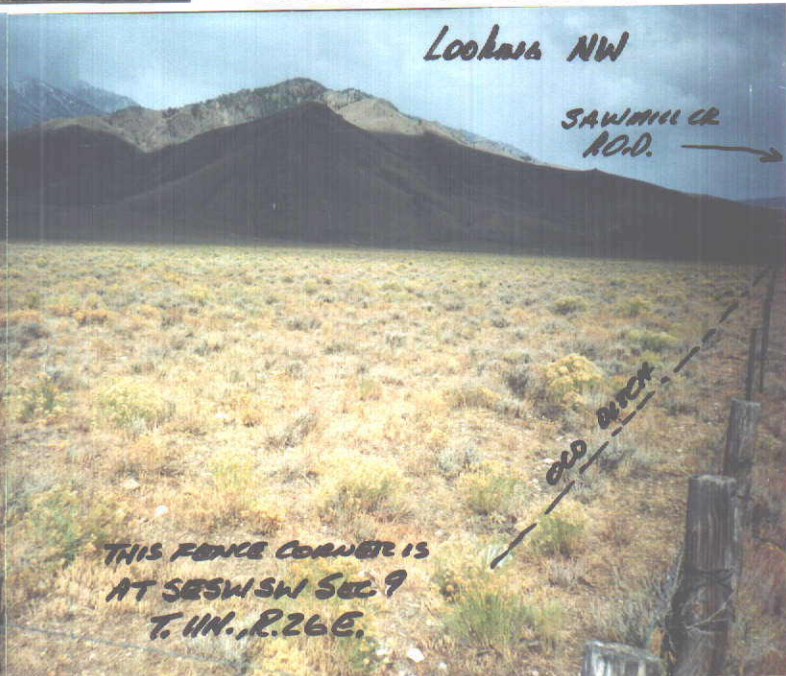
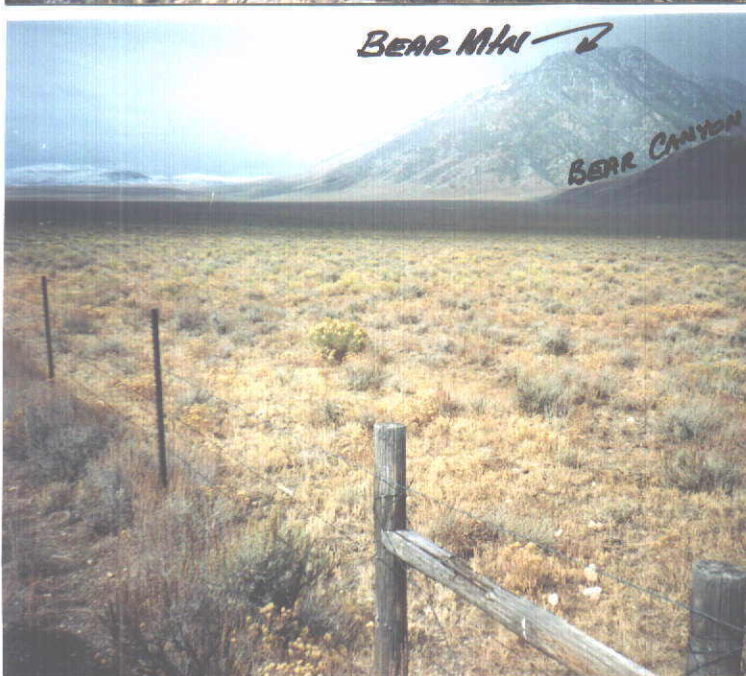
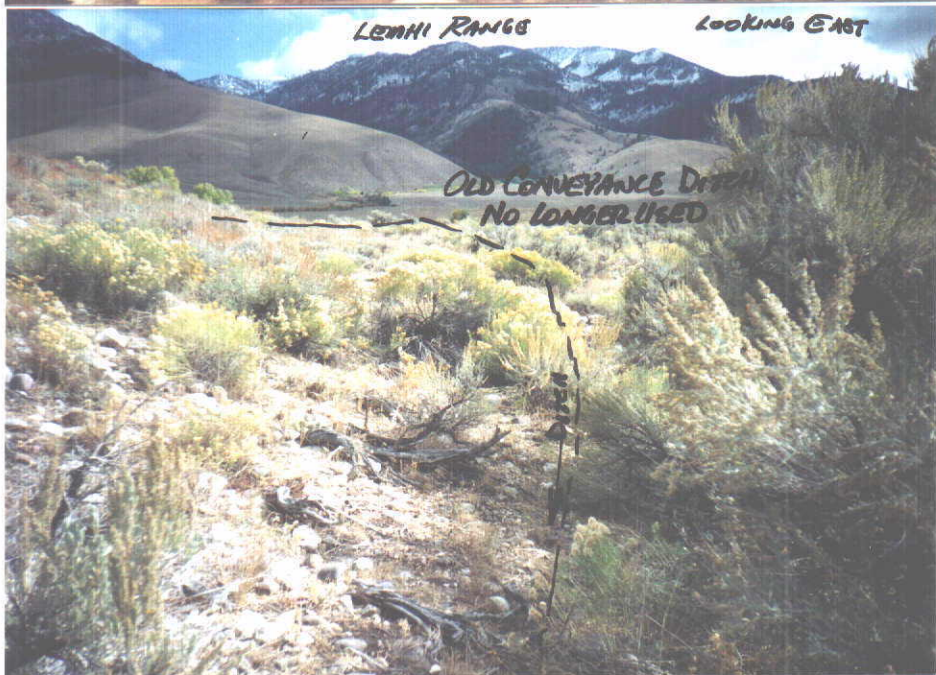
P.O.D. LISTED AS NENW SEC. 16

PLOTTED AS SWSE SW SEC. 9
T. 9N, R. 27E.

PERMIT LAPSED 1 NOV. 1995.

PANCHERI INC.
REED PLACE WATERS

PHOTOS BY: A. RUBENY 12 OCT 95



PANCHERI INC.

DECREED RIGHTS 33-00084/85

Photo 1. Shows HISTORIC P.O.D.

OF 33-00084 & 00085 FOR
USE IN SECS. 8 & 9 T. 11N., R. 26E.
SEE Photo 3 BELOW

Photo 2. Shows OLD CONVEYANCE

DITCH TO SECS. 8 & 9 OF T. 11N.,
R. 26E. Photo 3 BELOW

Photo 3. DECREED P.O.D. OF A.

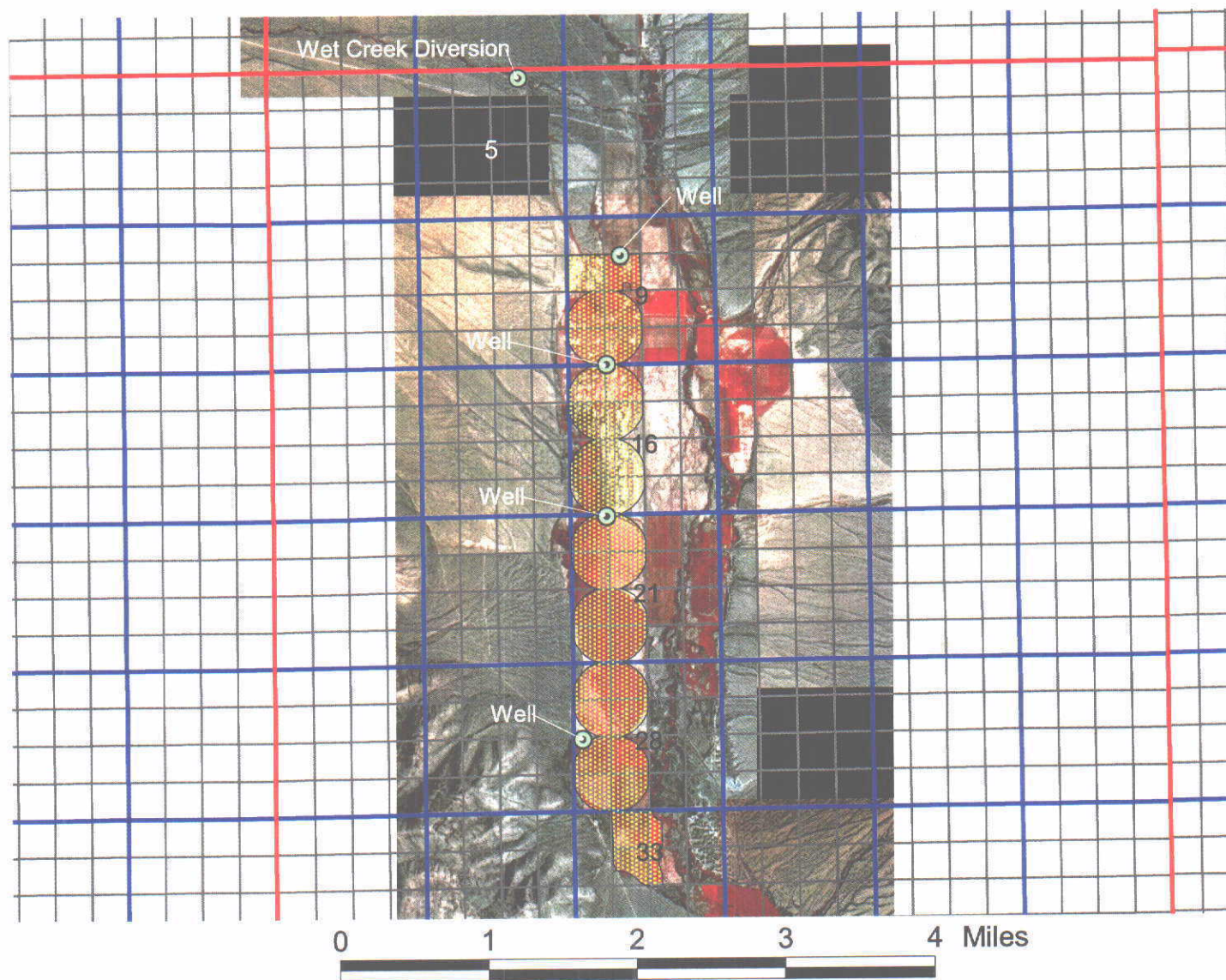
33-00085 AND ALL 33-00084
NO LONGER USED HERE - MOVED
W/O TRANSFER - LONG PRIOR TO 1987.

Photos by: A. RUBERRY 12 Oct. 95



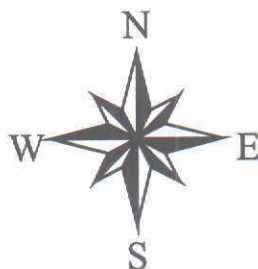
Department of Water Resources

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



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



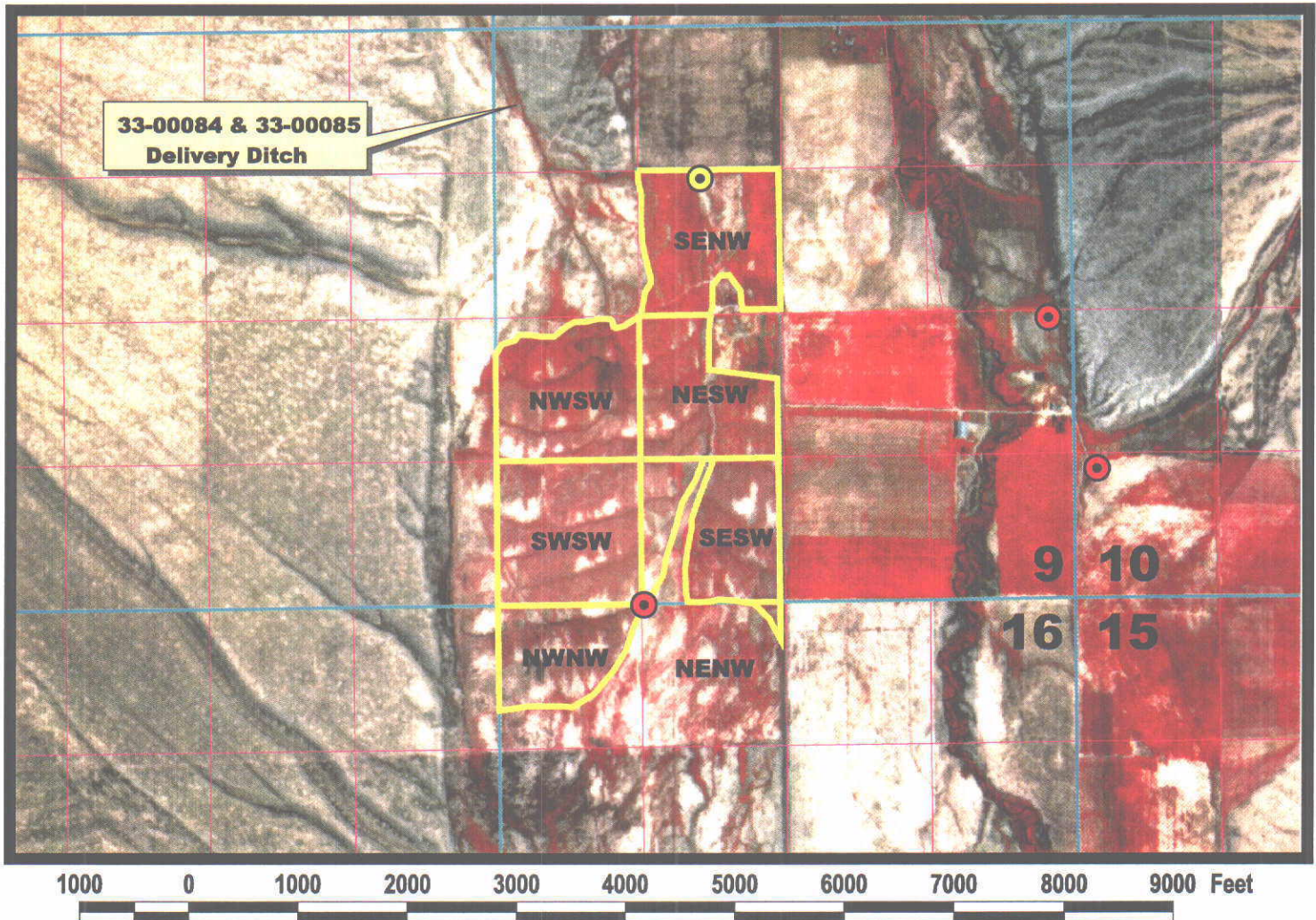
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

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



LEGEND



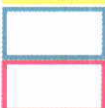
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

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

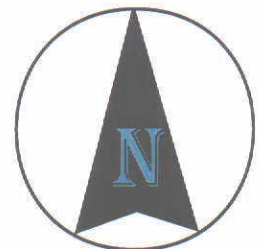
Sec. 9 (parts of) SW, SENW

Sec. 16 (parts of) N2NW

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

Sec. 5 NENWNE (surface)

Sec. 9 NWSENW (well)



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



STATE OF IDAHO

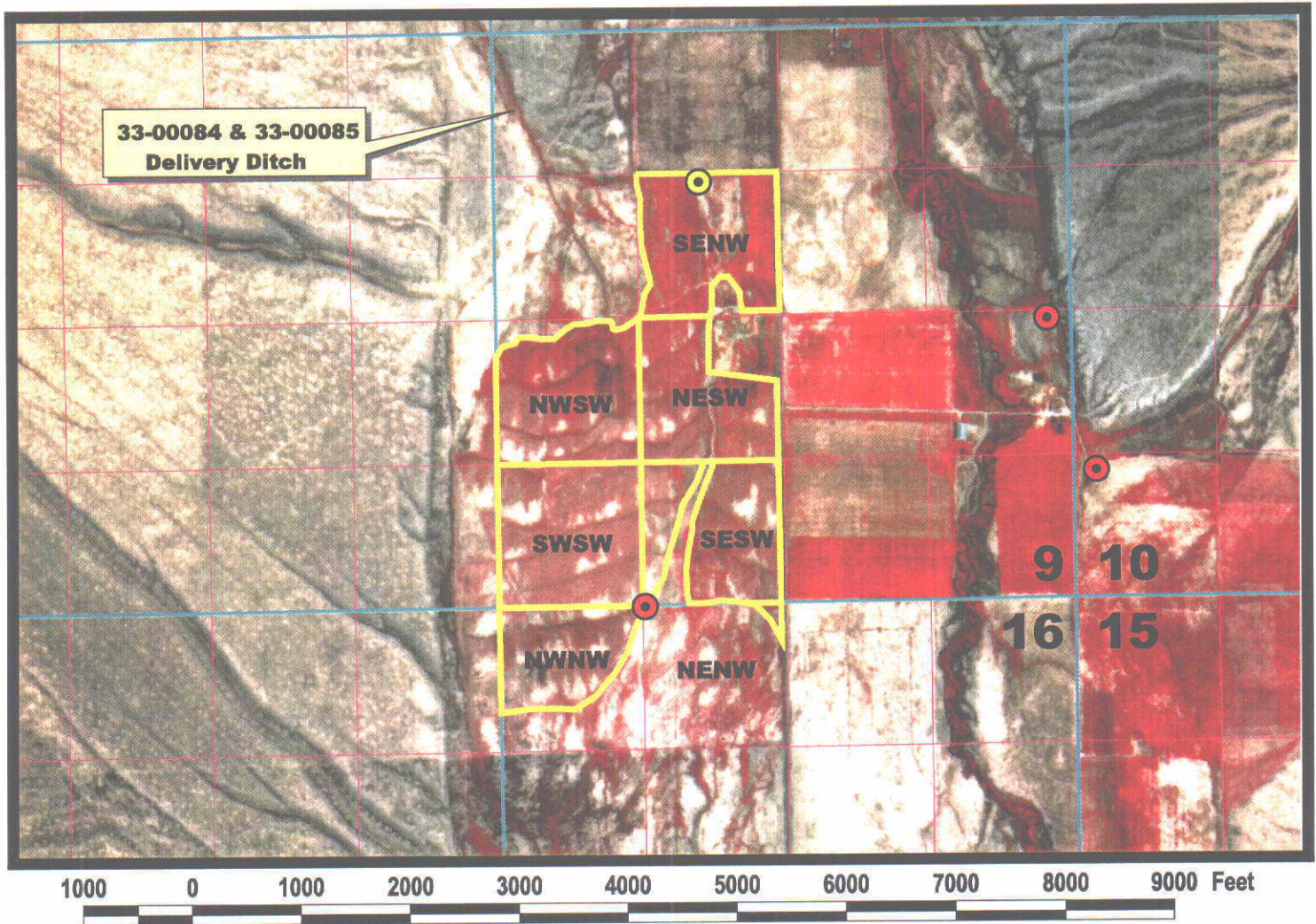
Department of Water Resources

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 NWSSENW (well)



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



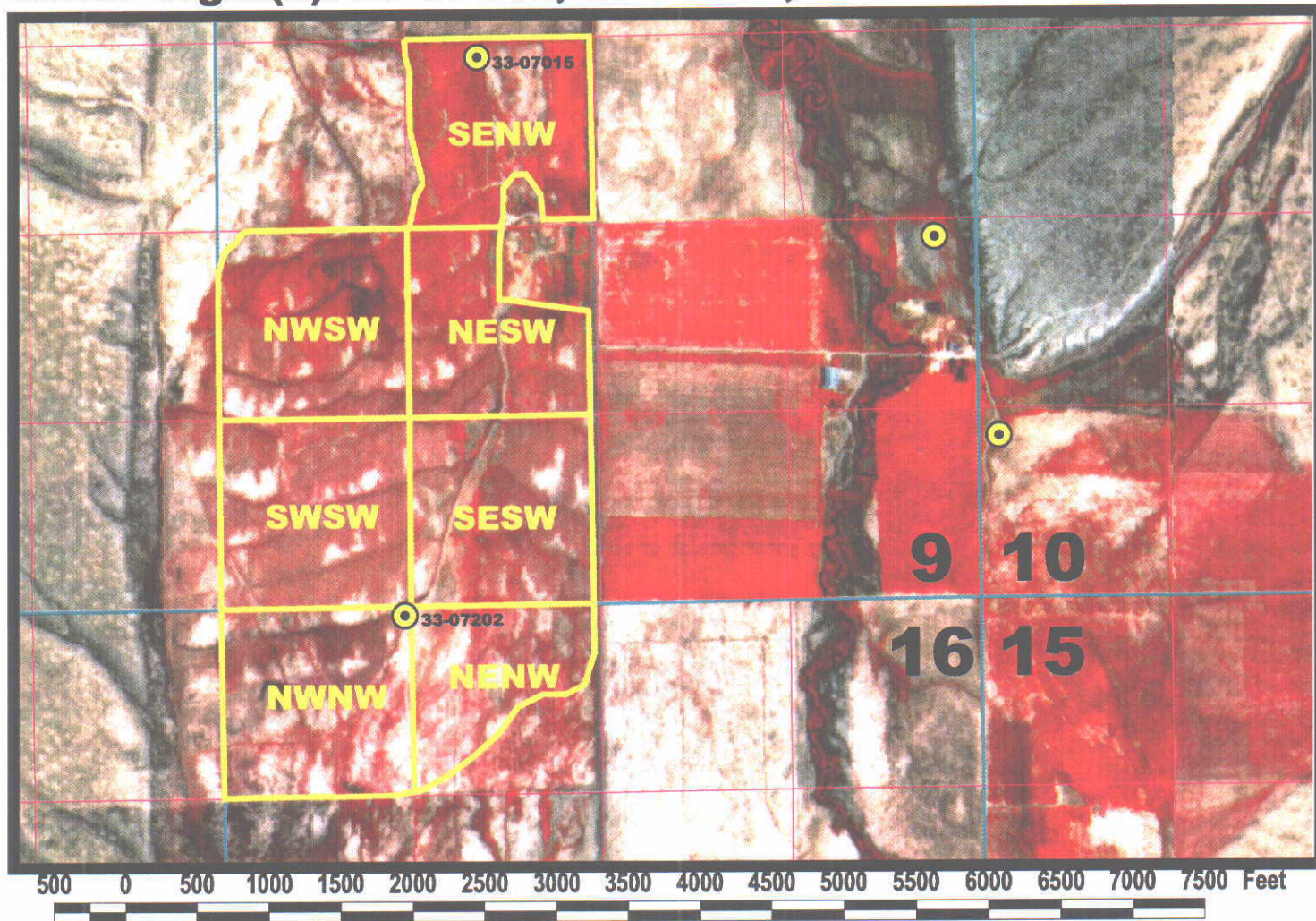
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri, Inc.

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



LEGEND



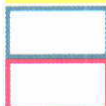
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

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

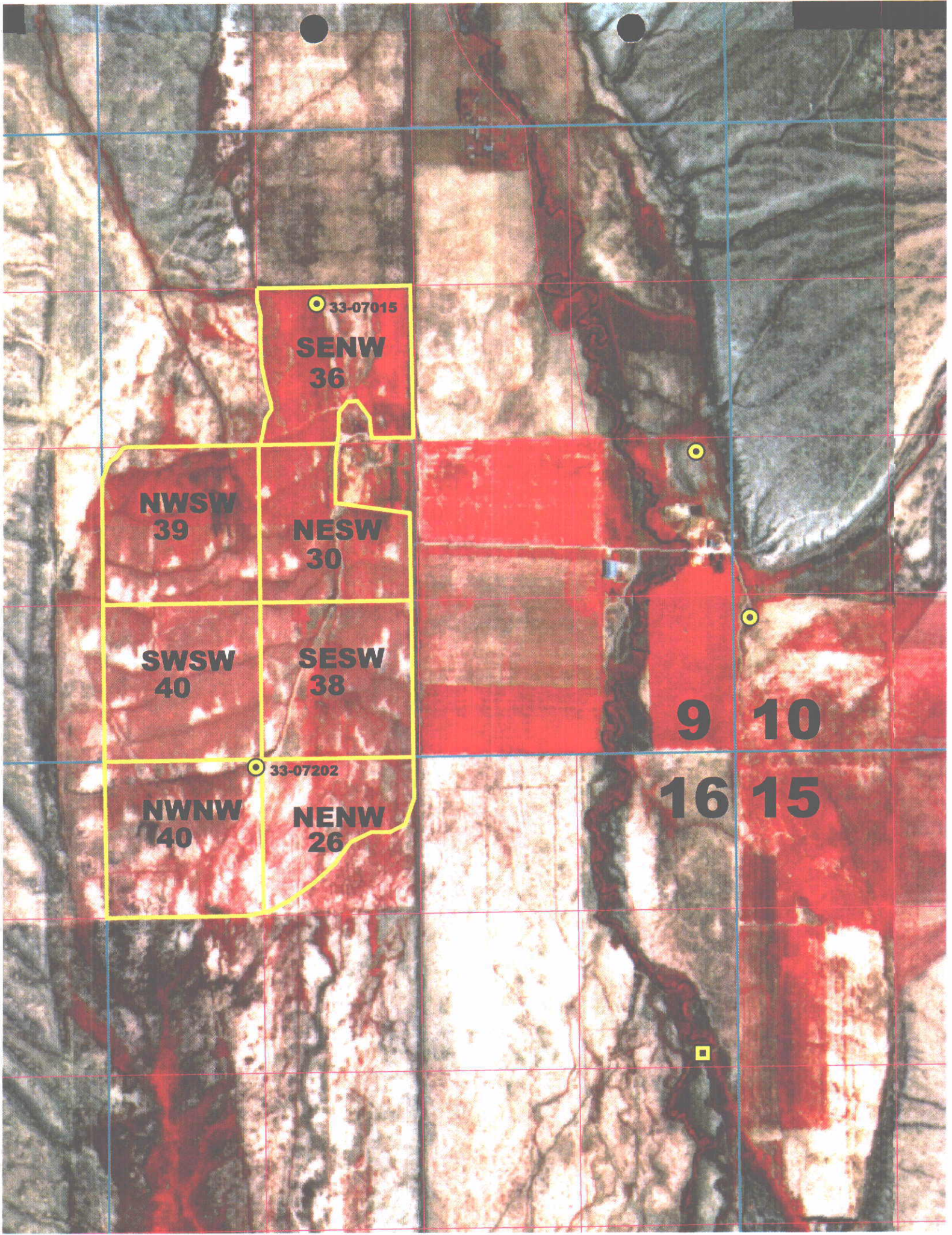
Sec. 9 (parts of) SW, SENW,
Sec. 16 (part of) N2NW

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

Note: Revised by Notice of Error Process



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



33-07015

**SENW
36**

**NWSW
39**

**NESW
30**

**SWSW
40**

**SESW
38**

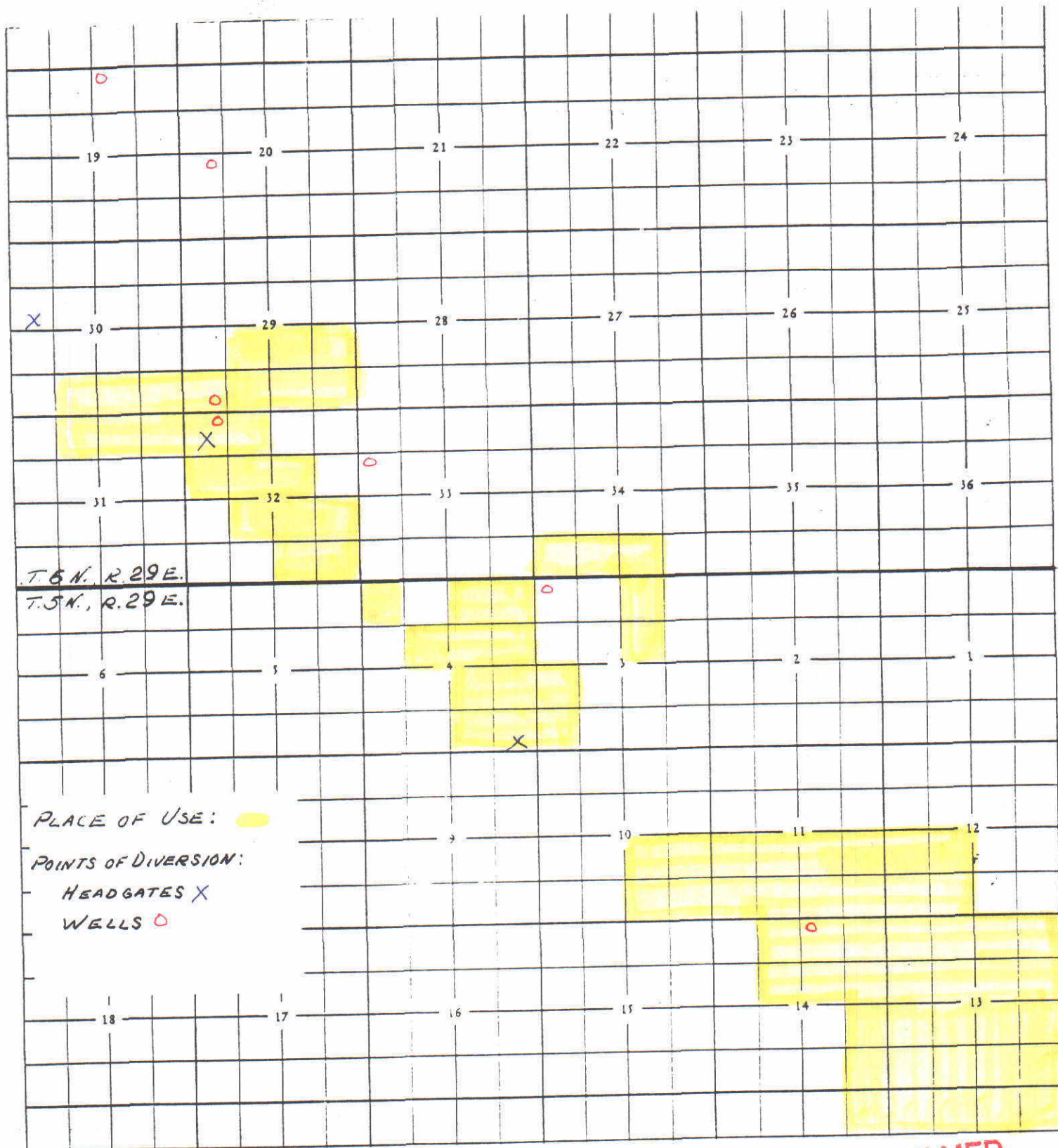
33-07202

**NWNW
40**

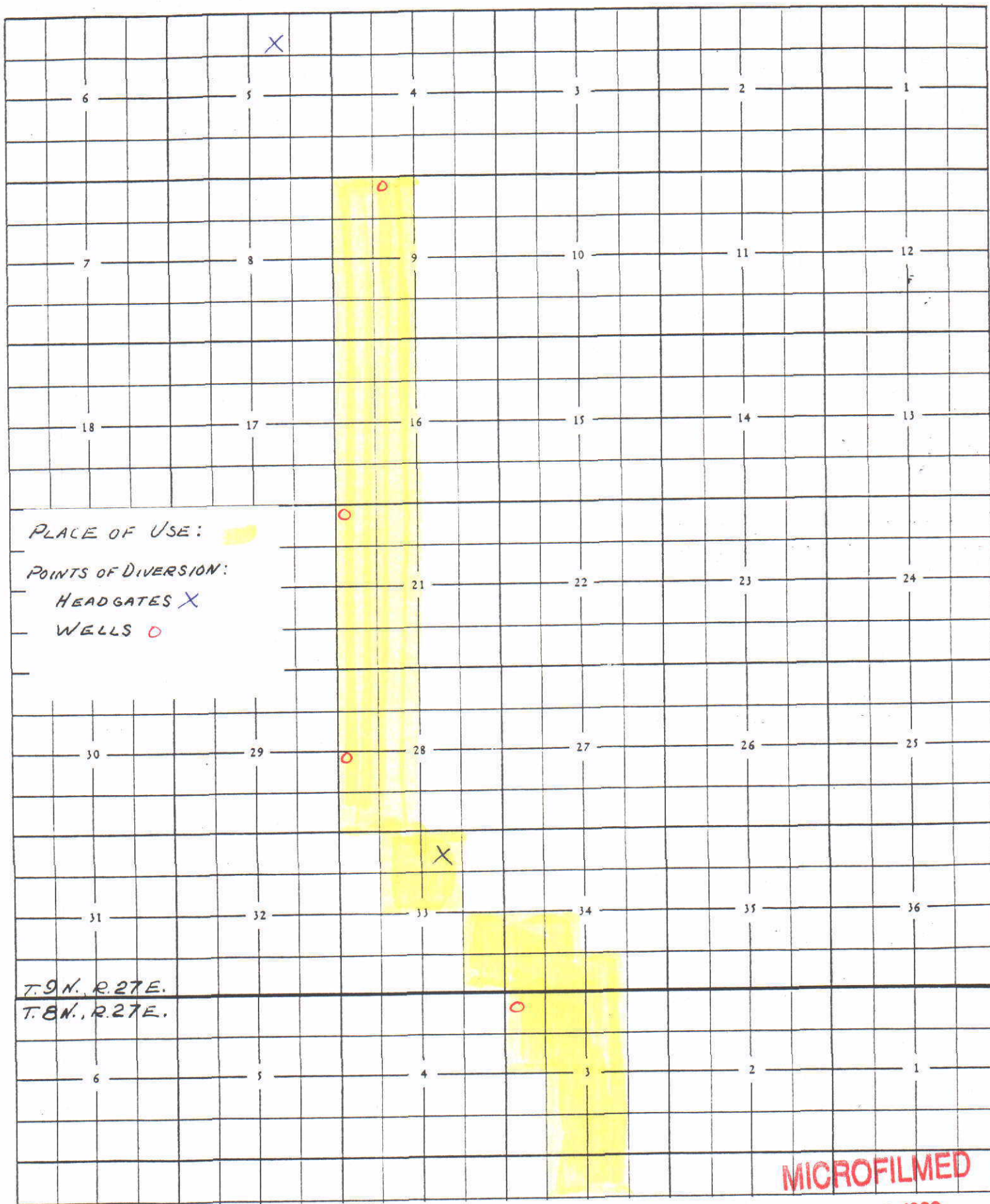
**NENW
26**

9 10

16 15



MICROFILMED
NOV 18 1992



MICROFILMED
NOV 18 1992

RECEIVED

JAN 05 2000

Department of Water Resources
Eastern Region

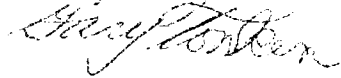
To whom it may concern,

01-14-98

I Gary Tonkin worked for Clyde Grazing Association in the late 1970's and early 1980's. Then for Jerry Pancheri into the late 1980's as a ranch hand. I was in charge of all flood irrigating on what I refer to as the Reed place, where the big red barn is and what is called the Ore place on the Badger Creek Road.

It was common practice to move all or part of the water, (With the help of Oscar Johnson, our Water Master,) that belonged on one place to the other place as needed On wet or dry years.

Gary Tonkin



*PRESUMABLY REFERENCING
A33-00084 and A33-00085*

*WHICH ARE BOTH RECOMMENDED TO
THE REED PLACE.*

NO ACTION TAKEN

*ABL
1/5/00*

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

Case No. 39576

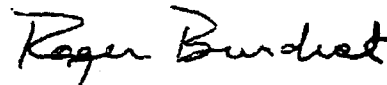
)
) ORDER OF PARTIAL DECREE
)
) For Water Right 33-00085
)

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 33-00085 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED May 20, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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): 33-00085

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 33-00085 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

CERTIFICATE OF MAILING

PAGE 1
05/20/02



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
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

☒ I.C. § 42-222 transfer 68885

☐ point of diversion

☒ place of use

☐ period of use

☐ nature of use

☐ split of water right

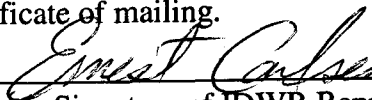
☐ change in ownership

☐ 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


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 Undermaulen

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
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)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
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. 33-85
As Modified by Transfer No. 68885

In accordance with the approval of Transfer No. 68885, Water Right No. 33-85 is now described as follows.

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

Priority Date: 04/15/1891

Source: WET CREEK

Tributary: LITTLE LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.88 CFS	871.5 AF 504
			2.88 CFS	871.5 AF 504

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. 33-85
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~~¹⁴⁴ 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, ⁷²⁰²33-10070 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.
10. Diversion of water from Wet Creek under this right is limited to those times when water is available for diversion under the priority of this right from the original source, Dry Creek.

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

N AP
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. 33-02066A p.d.
6. 33-02066B 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 AND
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 involved. 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

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



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
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
- ☒ I.C. § 42-222 transfer: **AMENDED TRANSFER # 5780**
- | | |
|---|--|
| ☐ point of diversion | ☒ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |
| ☒ 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



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

Case No. 39576

Water Rights: 33-84, 33-85, 33-7015,
33-7202, 34-10070, 33-10998

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

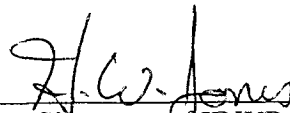
☐ I.C. § 42-222 transfer **68885**

☐ point of diversion ☒ 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:

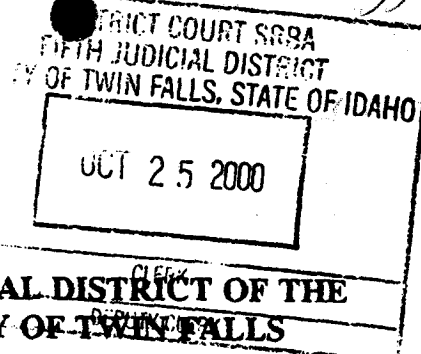
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cheri Undermeulen

Signature of person or attorney mailing the form



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: 10/25/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

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

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

Kent Foster

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

Deputy Clerk
Deputy Clerk



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
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

☒ I.C. § 42-222 transfer 5780

☐ point of diversion ☒ 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



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

A33-00085

EASTERN REGION

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Dry Creek Water Users
Water District 33
Howe, Idaho 83244

Dear Watermaster and Water Users:

Per a telephone request of Mr. Bill Stauffer of Blaine County Canal Company, I'm sending you this letter to clarify the remark regarding delivery of Dry Creek water, which reads:

"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 DIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE."

In notices of error and in the petition, many of the Dry Creek water users disagreed with this remark. I apologize that it was not changed, due to my error. Dave Tuthill had intended that I modify the remark to clearly indicate the reductions should be based upon transmission losses. It should have read something like:

"THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY DUE TO LOSS BY EVAPORATION AND SEEPAGE, PURSUANT TO SECTION 42-105, IDAHO CODE."

Now that the recommendations have gone to the court, however, I can't change the wording. Though the current remark is perhaps a little unclear, in my opinion it doesn't really injure the Dry Creek water users. The whole intent of this remark is to allow the watermaster to assess transmission losses to "developed" waters. It appears not only on the Dry Creek rights but also on the Bell Mountain rights and all exchange wells subject to transmission losses. While it is unfortunate that the remark doesn't explicitly state

"transmission losses," it clearly points to section 42-105 of Idaho Code. That section reads:

"The water that a person is entitled to divert... may be turned into the channel of a natural waterway and mingled with its water, and then reclaimed, but in reclaiming the water so mingled, the amount of water to which prior appropriators may be entitled shall not be diminished, and due allowance shall be made for loss by evaporation and seepage. The use of natural waterways... shall be subject to the regulation of the watermaster within an established water district."

Please review this carefully. If you still believe this remark injures you, you may file an objection with the court. Filing the objection will give you the opportunity to present your concerns with the judge, and the judge may direct IDWR to change the remark accordingly.

Typically the judge will ask IDWR's input, and I think the department's response would be agreeable to changing the wording. The department would still want some type of remark, to preserve historical practice and the intent of the 1966 agreement between Dry Creek users and users of the Little Lost River.

Please call me at 525-7161 or 663-4853 if you have questions or concerns about this issue.

Sincerely,

Bryce A. Contor

Mailing list for Dry Creek Remark Letter:

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Bill Stauffer, Chairman
Blaine County Canal Company
Howe, Idaho 83244

Pancheri, Inc.
c/o Jerry Pancheri
HC 65 Box 2104
Howe, Idaho 83244

Keith Waymire
PO Box 47
Howe, Idaho 83244

Daryl Andreason
Brenda Andreason
PO Box 22
Howe, Idaho 83244

James Andreason
Elizabeth Andreason
PO Box 3
Howe, Idaho 83244

Woodie Land and Livestock
HC 65 Box 1019
Howe, Idaho 83244

Mays Land and Livestock
PO Box 1
Howe, Idaho 83244

A33-00085
PANCHERI INC
C/O JERRY PANCHERI
HOME ID 83244

R

Also See 33-000844
33-07015



A3300085

REED PLACE

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: 33-00085

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):

Tributary to Little Lost River

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

Tributary to Sink

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

We feel Dry Creek water wasn't historically tributary to Little Lost River

☐ 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

Regn hearing

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



POINT OF
DIVERSION

PUNCHER'S
PLACE
INCLUDES DRY
AND SAWMILL
(MUD POND)

Well
A33-07015

FIELD HEMOGATE

PLAGE OF USE

CLAIM NO(S) A33-00084, 00085 & 07015
DATE: 9 JAN 96 9N 27E
SOURCE OF INFO: V-32, 33, 82 & 83
SIGNATURE: *SB Kulev*

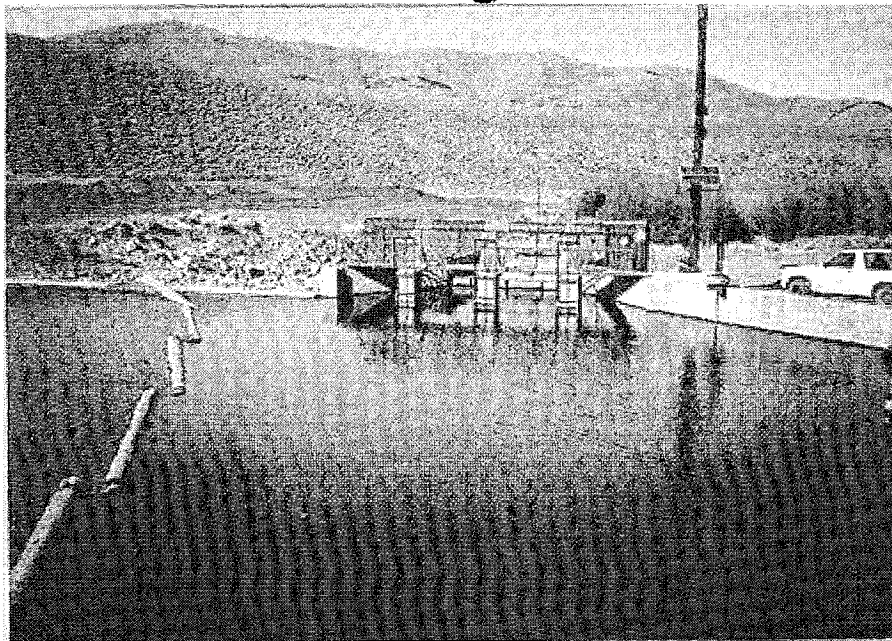


Photo 1. INTAKE FOR THE DRY CREEK HYDROPOWER AQUADUCT. ALSO SERVES AS THE POINT OF DIVERSION FOR SEVERAL DECREEED RIGHTS FROM DRY CREEK. THESE RIGHTS ARE NOW DELIVERED AS DEVELOPED WATER AHEAD OF AND OUT OF SEQUENCE OF OTHER DECREEED RIGHTS OF THE LITTLE LOST RIVER SYSTEM.



Photo 2. DRY CREEK HYDRO RESERVOIR POOL.

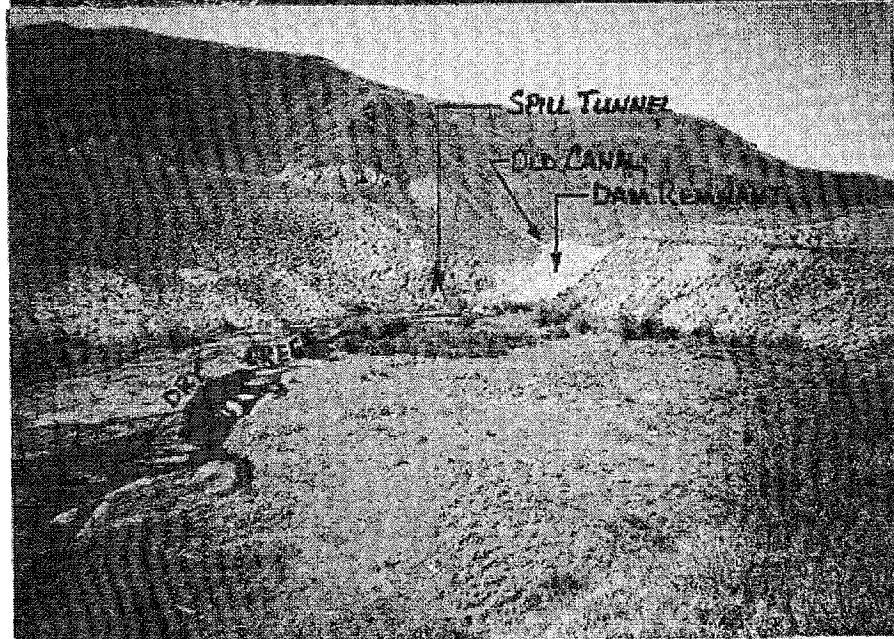


Photo 3. OLD DRY CREEK DAM WHICH IS REFERENCED IN THE DECREE AS THE POINT OF DIVERSION FOR THE DRY CREEK RIGHTS. THIS DAM WAS BLOWN IN THE 1930'S BUT DID NOT FAIL UNTIL 1956. IT WAS BLOWN DUE TO A WATER FIGHT BETWEEN THE OLD SETTLERS AND THE BLAINE COUNTY INVEST. Co. ALL PHOTOS LOOKING NORTHERLY. PHOTOS TAKEN: 31 Oct. 95 ABR

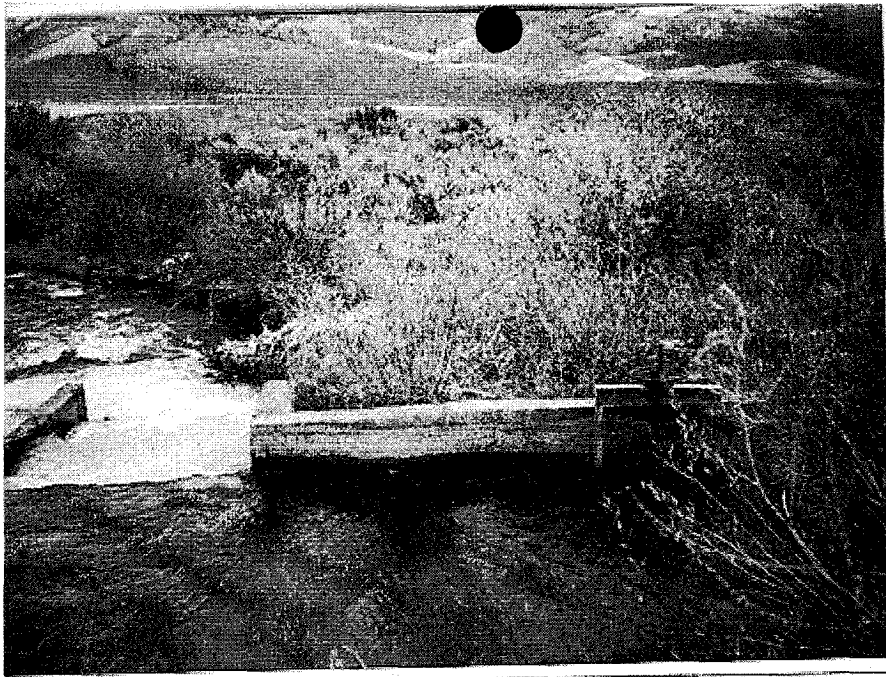


Photo 1. DIVERSION OF WET CK
WATERS TO REED PLACE.
P.O.D. NENW NE SEC. 5 T. 9N, R. 27E.

INCLUDES DRY CK EXCHANGE AND
SAWMILL CK (MUD 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. NWSE NW SEC. 9
T. 9N, R. 27E.

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.

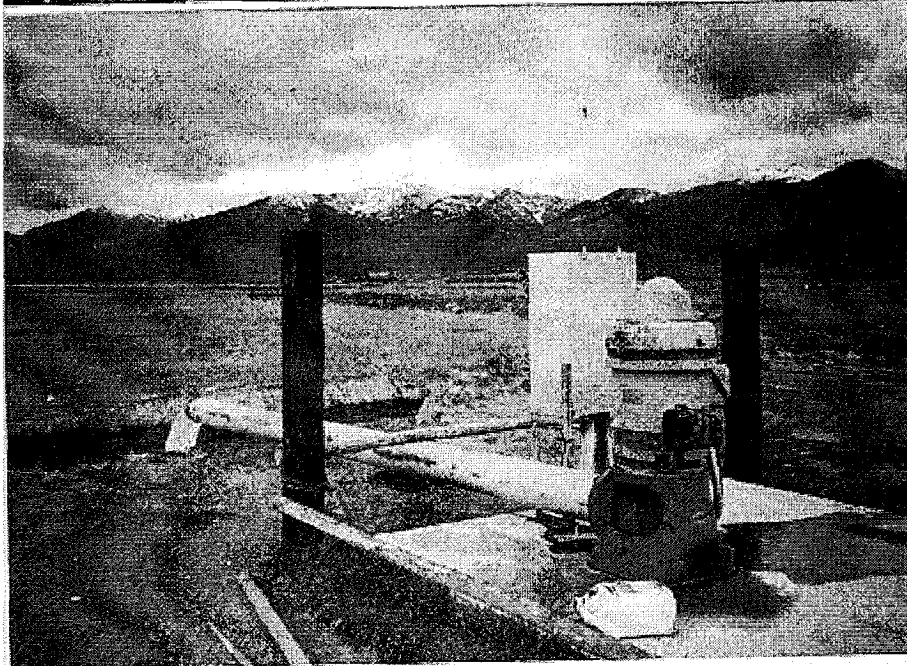


Photo 3. Well - PERMIT 33-07202
NOT ENJOINED TO ADJUDICATION.
P.O.D. LISTED AS NENW SEC. 16
PLOTTED AS SWSE SW SEC. 9
T. 9N, R. 27E.
PERMIT LAPSED 1 NOV. 1995.

PANCHETTI INC.
REED PLACE WATERS

PHOTOS BY: A. RUBENY 12 OCT 95



PANCHERI Inc.

DECEDED RIGHTS 33-00084/85

Photo 1. Shows historic ROAD.

OF 33-00084 & 00085 FOR

USE IN SECS. 8 & 9 OF T. 11N., R. 26E.

SEE Photo 3 BRIDGE

Photo 2. Shows OLD CONVEYANCE

DITCH TO SECS. 8 & 9 OF T. 11N.,

R. 26E. Photo 3 Below

Photo 3. DECEDED ROAD OF PL.

33-00085 AND ALL 33-00084

NO LONGER USED HERE - MOVED

WHO TRANSFER - LONG PRIOR TO 1957.

12 Oct. 95

QUESTIONS FOR DECREED RIGHTS

RIGHTNUMBER: 33-00085, OWNER PAUCHARD, Inc.P R O P E R T Y D E S C R I P T I O N :
SECTION(S) 9, 8, 11 N, 26 E, T. 9 N., R. 27 E.9, 811 N 26 E, UNSPECIFIED AC.

1. WHEN DID YOU ACQUIRE THE PROPERTY? 15-16 yrs. Ago
(± 20 yrs.)
2. WHEN WAS THE WATER LAST USED ON THIS LOCATION, AS LICENSED, DECREED, OR, AS TRANSFERRED?
Don't know! Always used water
3. WAS THERE A TRANSFER FILED? YES, WHEN? NONE OF RECORD
IS THE RIGHT SPLIT? 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)? SAME
WHICH POINT OF DIVERSION IS NOW USED?
6. ANY CHANGES IN THE PLACE OF USE (PRE 1987)? SAME
ANY CHANGES AFTER 1987?
7. ANY CHANGES IN THE POINT OF DIVERSION (PRE 1987)?
ANY CHANGES AFTER 1987?

8. Ownership of Sec. 9 NE NW T. 9N., R. 27E. Questioned.
THIS EQ IS A PART OF THE (FMHA) McDaniel Place. See FMHA Document,

A33-00005

Actual

Date: ____/____/____

Acquired Property (McDaniel)
Legal Description

Township 9 North, Range 27 East of the Boise Meridian, Butte
County, Idaho.

Section 4: SW1/4SE1/4, E1/2SW1/4

Section 9: S1/2NE1/4, NW1/4NE1/4, NE1/4NW1/4 CLAIMED BY PANCHERI INC.
SEE ADJUDICATION LAND LIST

Less the following: (Containing 78.90 Acres) Deeded to
B.L.M. (See the attached legal description)

EXCERPT COPIED FROM FMHA SALE DOCUMENTS
FOR THE MC DANIEL PLACE (BASIN 38)

A B RUBERRY...28 SEPT 1995

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

THIS IS THE 33-00084 AND 33-00085 DECREEED
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, ~~N~~ENWNE

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

WATERMASTER CONTROL: X YES NO

ALSO SEE: V33, V82 & V83

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.

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

From Saw Mill Creek:

T 128 Superseded by Decree

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:

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, S²SE, Sec 8
W²SW, Sec 9 11/26

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

SW, W²NW, Sec 9 9/27
encl to SWNW

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

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
TDWR.

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

ANALYSIS

CLAIMANT: San Antonio Inc.

AGENT: Rubery DATE: 9/14/96

TOTAL ACRES 245 (COMBINED)

IRRIGATION METHOD: FLOOD 100% SPRINKLER 0%

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

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

P.D. A. _____

B. _____

C. _____

RIS. W/ SAME P.D. _____

ANALYSIS #	AJ NUMBER	REC. ACRES	RECOMMENDED PRIORITY	RECOMMENDED CFS	COM. CFS
#1 <u>WET CROSSLAND</u>	<u>33-00084</u>	<u>245</u>		<u>2.10</u>	
#2 <u>CROSSLAND</u>	<u>33-00085</u>	<u>245</u>		<u>2.88</u>	<u>4.98</u>
#3 <u>GW</u>	<u>33-07015</u>	<u>245</u>		<u>1.77</u>	<u>6.75</u>

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 () N ()

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

REMARKS: RIGHTS ROUNDED TO ACTUAL DELIVERED VALUES.

STANDARD CONDITIONS: RT.#1 _____

RT.#2 _____

RT.#3 _____

RT.#4 _____

STANDARD REMARKS:

33-00084 245 AC. W/ 50% LOSS 4.20 $\Rightarrow$ 2.10

33-00085 245 AC. W/ 10% LOSS 3.20 $\Rightarrow$ 2.88

33-07015 (1.77)(1.9835)(184) = 645.99 $\Rightarrow$ 646

#1 B12: 5.50 cfs, 612.5 AF, 245 AC : 33-00085, 33-07015

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

#3

DIV RATE COMB.

4.98 cfs of COMBINED DECREASED RIGHTS

- .50 AS 10% DITCH LOSS

4.48 AT FIELD HOMOGATE FROM DECREASED RIGHTS

- 4.90 RIGHTS @ 0.02 cfs/AC AT FIELD HOMOGATE

DIV. - .52 MUST BE MADE UP BY THE WELL OWNER

AS SUPPLEMENTAL WATER.

4.98

+ .52

5.50 RIGHTS

Twn.	Rge.	Sec.	NE			NW			SW			SE			Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	27E	9					✓			✓	✓	✓	✓		
11N	26E	8			✓										
		9								✓	✓		✓		
CURRENT		46E													
9N	27E	9								28	32	36	40	30	
		16								39	40				

166.0 Ac.

79.0 ac.

245.0 Ac. Total

545

Total Acres: 245

① CLAIMED BY PANCHERI INC. - OWNERSHIP IS
SHOWN TO BE FALSA.
② 33-00085 PARTLY DERIVED TO THIS Q.Q.

Water Right Number: 33 - 00085 Date: / /

4/11/1989.

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pemco, Inc

CLAIM IDENT. NO.

A33-00085

DATE RECEIVED

1/11/90

CK #

AMOUNT \$

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A *
- Is the consumptive use correct? ☐ YES ☒ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: DC

Date: 2/15/90

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: DC

Sent to claimant by:

Date:

Date: 2/15/90

Date:

Checked by:

Date:

Comments:

MICROFILMED

NOV 18 1992

A 3x3 grid of small, stylized icons. The icons include: a house, a tree, a car, a person, a flower, a leaf, a sun, a moon, and a star.

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM FILE NO. 49-00855

LAST: PANCHERI INC
ADDRESS: 7 JERRY PANCHERI PRES
CITY: MOHE
PHONE NUMBER: 208-767-3419

STATE: IN ZIP: 00244
FPO#: 00000

CONFIDENTIAL

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

FIRST: KENT W
STATE: IN ZIP: 83405

[illegible]

FIELD EXAM REQUIRED.

DATABASE
 Y
 FIELD
 EXAMINER
 Y() N()

REMARKS: 1. THE FOLLOWING INFORMATION WAS OBTAINED FROM THE RECORDS OF THE NEW YORK STATE DEPARTMENT OF CORRECTIONS:

CLAIM	REMARKS:
OTHER RIGHTS-33-02014, 2056, 2065, 2065, 2093, 2108, 2113, 2117, 2126, 2015, 7027, 10109, 0003-13, 0024-36, 0035-47, 0065, 0068, 0081-85, 0087, 0093, 0090, 0092, 0108, 0109, 0110, 0115	CONFIRMED ATTORNEY MAILING ADDRESS DHS

cc: Comments

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 4 Oct 95 - A. Ruberry

A. AT CLAIM: # A33-00085 PRIORITY DATE: 04-15-1891 STAGE: D

B. WR RECORD: # A3-00085 PRIORITY DATE: 04-15-1891 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONTINUED BY A DEGREE 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(✓) **SBS NOTES**

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

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

N/A() Y() N(✓)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(✓) N()

NOTES: **THIS RIGHT HAS APPARENTLY BEEN MOVED FROM THE DERIVED PORTION OF THIS PLACE OF USE**

IN SWNW, NESS, S2S3 SEC. 9, T. 9N, R. 26E. TO THIS CURRENT PLACE OF USE IN NW, SW⁴ SEC. 9, T. 9N, R. 27E. WITHOUT BENEFIT OF A TRANSFER. AT THIS POINT IT IS FELT AN ERROR IN THE DERIVED EXISTS AS: SW⁴ NW SEC. 9, T. 9N, R. 27E. THE NW² NW IS COMPOSED OF TWO SEPARATE PARTS. THE NW NW IS FOLLOWING IRREGULAR AND FROM ALL APPROPRIANCES OF FIELD EXAMINATION HAS NEVER BEEN UNDER IRRIGATION. THE NW NW, HOWEVER, HAS UNDERSTANDING EVIDENCE OF IRRIGATION BUT HAS NEVER BEEN IRRIGATED BY EITHER 33-00084 OR 00085. THE NW NW SEC. 9 HAS WATER DERIVED FROM 33-00088, WHICH WAS/IS HELD BY FMHA, PART OF THE McDaniel's Place

RECOMMENDED PRIORITY DATE:

04-15-1891 *As Claimed*

REVIEWED BY

Shelley

DATE **5 Oct 95**

A. CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-00085	05N	29E	4	SE	SE	SE	SE		OUTTE		
A33-00085	06N	29E	30	NW	NW	NW	NW		OUTTE		
A33-00085	06N	29E	32	NW	NW	NW	NW		OUTTE		
A33-00085	09N	27E	5	NW	NW	NW	NW		OUTTE		
A33-00085	09N	27E	33	NW	NW	NW	NW		OUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R PREFIX
AA

WR RECORDS IN SAME 40 ACRE TRACT

33-00028
33-00029
33-00030
33-00031D
33-00031H
33-00031J
33-00035
33-00097D
33-00100
33-02010
33-02056
33-02114

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

SOURCE: DRY CREEK

TRIB: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3300085 *POD. NOT SPECIFIED BY DIVERSES EXCEPT AS "At THE Dry Creek Dam."*
THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: DRY CREEK

TRIB: LITTLE LOST RIVER

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

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

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

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

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

N/A () Y () N ()

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

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

Y () N ()

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

Y () N ()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y () N ()

AJ FIELD EXAM (DATE OF FIELD EXAM)

Y () N ()

OTHER (DESCRIBE IN NOTES BELOW)

AS Rebuttal

Oct 2, 1995
Oct 12/13 1995

NOTES: *Disputed POD, sources, both water field examined - no diversion, no user, apparently the water diversion and place of use were moved many years prior to 1987 (w/o benefit of Tenn.) and this result is used in conjunction with 33,000 cfs and 0.7015 (w/c).*
Of the claimed PODs 9N 27E Sec 5 (NE) which is the only one that relates to this right (w/c).
POD was changed (historically?) w/o benefit of Tenn. ⇒ accompanied change in POD/WELL ⇒ cfs, cfs.

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

TWP.	R66.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG
05N	29E	4	SE	SE	SE	SE		
06N	29E	30	SW	SW	SW	SW		
06N	29E	32	NE	NE	NE	NE		
09N	27E	5	NE	NE	NE	NE		
09N	27E	33	NW	NW	NW	NW		

COUNTY
BUTTE
BUTTE
BUTTE
BUTTE
BUTTE

DIVERSION NAME
20765

DIVERSION NBR

Custer

Dry Creek Aqueduct Intake

I

Dry Creek Hydro Division to Watch

R

West Creek Diversion

SOURCE: *RAY CREEK* TRAIL: *LITTLE ROCK RIVER*

REVIEWED BY:

[Signature]

DATE:

5 Oct. 1995

SYSTEM DESCRIPTION:

DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

See PoD. photo in 33-00084

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AT CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00085 IRRIGATION	FROM 04-01 TO 11-01 <i>As Directed</i>	3.200 CFS	
	TOTAL DIVERSION RATE/VOLUME	3.200 CFS	

B. NR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00085 IRRIGATION	FROM TO	3.200 CFS	
	TOTAL DIVERSION RATE/VOLUME	3.200 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()

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

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

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

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

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

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

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

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

*As Directed**Watermaster*

NOTES: PURPOSE OF USE OF THIS RIGHT (AND 33-00004 AND 33-07015) IS THAT OF FLOOD REGULATION. NO OTHER
USES AUTHORIZED BY DISCHARGE.

AJ CLAIM TOTAL DIVERSION RATE:

3.200 CFS

WR RIGHT TOTAL DIVERSION RATE:

3.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A () Y () N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A () Y () N ()

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

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

Y () N ()

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y () N ()

FLOW MEASUREMENT

MEASUREMENT METHOD

Watermaster Camera - CHANGED 10% loss, SEE ATTACHED CALCULATIONS.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

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

TOTAL DIVERSION VOLUME 857.5 AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AE/A

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

TOTAL CONSUMPTIVE USE 612.5 AE/A

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

1b. CALCULATIONS

See Diversion Rights Analysis sheet

NOTES:

NR RECORD CONDITIONS/REMARKS:
P/D AT DRY CREEK DAM. SEE Pg. 5 FOR CONDUIT P.D. ⇒ C43

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS	REC. DIV VOL. AC/A	DATABASE EXAMINER	DATABASE EXAMINER	REC. COMS. USE
IRRIGATION	04-01	11-01	3.200				0.0

As Directed

TOTAL FOR THIS RIGHT

~~3.200~~ *2.08*

10% loss charged by WM

~~0.0~~ *612.5*

NON-IRRIGATION USES CLAIMED: S/ STOCKWATER

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

REVIEWED BY:

DATE:

FLAG: *C* *changes in flow/PAH prior to 1997 (w/o Tams.)*

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

C03
C05

EXPLANATORY REMARKS (CODE):

EIP: 33-00084, 5.50 cfs, 612.5 AKA, 245.2

RPS: 33-00084

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00085
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.200

EXAMINER
2.88

CFS

SPLITS:

OLD RIGHT
NUMBERS
CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

33-00085

3.200

TOTAL CFS

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

*This right is claimed in full - no splits. Right is changed to 10% loss at delivery.
Right is reduced by 10% $\Rightarrow$ 3.20 - .32 = 2.88 cfs*

AUTHENTICATION:

SIGNATURE: *[Signature]* DATE: 5 Oct. 1995

NAME OF FIELD EXAMINER: *[Signature]* TITLE: Sr. Agt.

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD	DATE OF PHOTO	1995	IDWR ID NO.	V32/53, V82/03	Y() N()	☒
☐ TOPOGRAPHIC	DATE FIELD CHECKED		IDWR ID NO.		Y() N()	
☒ NAPP	DATE OF PHOTO	8-2-87	IDWR ID NO.	V83ND	Y() N()	
☒ ASCS AERIAL PHOTO	DATE OF PHOTO	1987			Y() N()	☒
☐ ASCS COLOR SLIDE	DATE OF PHOTO				Y() N()	
☐ BLM OR USES AERIAL PHOTO	DATE OF PHOTO				Y() N()	
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	entire NO - Govt Lots			Y() N()	☒
☐ SCS SOIL SURVEY MAP	DATE ISSUED				Y() N()	
☐ SUBDIVISION PLAT MAP	DATE OF MAP				Y() N()	
☐ OTHER <u>Landowner Attachment</u>	DATE				Y() N()	☒
☐ OTHER <u>Deceased Inventor XXIII</u>	DATE	4 March 1921			Y() N()	☒
☐ OTHER <u>T. Luker, L.R. Walter, Distant</u>	DATE	19 May 1993			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 DRAIN	
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	12 Oct 1995
☐ SPLIT NIGHT REVIEW	DATE REVIEW COMPLETED	
☒ ANALYSIS ANALYSIS <u>Overlapping Rights</u>	DATE ANALYSIS COMPLETED	9 Jan 96
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED	
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	
☐ OTHER <u>Excerpt of FmHA Sales Doc.</u>	DATE	20 Sept 1995
☐ OTHER	DATE	

Shows ownership of USNM Sec. 9
To FmHA - Not Approved, Due

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:21:44
09/20/95

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A33-00085

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			12-13-08, 95 492	N				
POINT OF DIV	Y			Y				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:37:44
09/20/95
16

PAGE: 16
PROFILE REPORT CONTINUED

CLAIM NUMBER: A33-00085

Remarks: ~~CASE 0000, 0001, 0100, 0101, 0115~~
CONFIRMED ATTORNEY MAILING ADDRESS DMS

Dates: Exam Made Date: Verified Date:

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

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-00085

MAY 17 2002

By 3484 Clerk
Deputy Clerk

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

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 2.88 CFS
504.00 APY

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: 04/15/1891

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

WATER DIVERTED UNDER THIS RIGHT IS ACCOMPLISHED BY INJECTING
WATER FROM DRY CREEK INTO WET CREEK AT THE ORIGINAL POINT OF
INJECTION IN T10N, R26E, S36, NWSWNW, AND DIVERTING AN
APPROPRIATE AMOUNT FROM WET CREEK AT THE POINT OF DIVERSION
DESCRIBED ABOVE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	2.88 CFS 504.00 APY

PLACE OF USE:

	Irrigation		Within Butte County
	T09N R27E S09	SESW 40.0	SESW 37.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S16	NENW 34.0	NWNW 34.0
		SWNW 34.0	SESW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S21	NENW 34.0	NWNW 34.0
		SWNW 34.0	SESW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S28	NENW 34.0	NWNW 34.0
		SWNW 34.0	SESW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S33	NWNE 12.0	SWNE 11.0
		NENW 40.0	SESW 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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00084, 33-00085,
33-07015, 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 144 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,
33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT
FROM DRY CREEK AT THE ORIGINAL POINT OF DIVERSION IN T10N, R25E,
S31 SWNEW.

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT
FROM DRY CREEK AT THE ORIGINAL POINT OF DIVERSION IN T10N, R25E,
S31, SWNEW.

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.

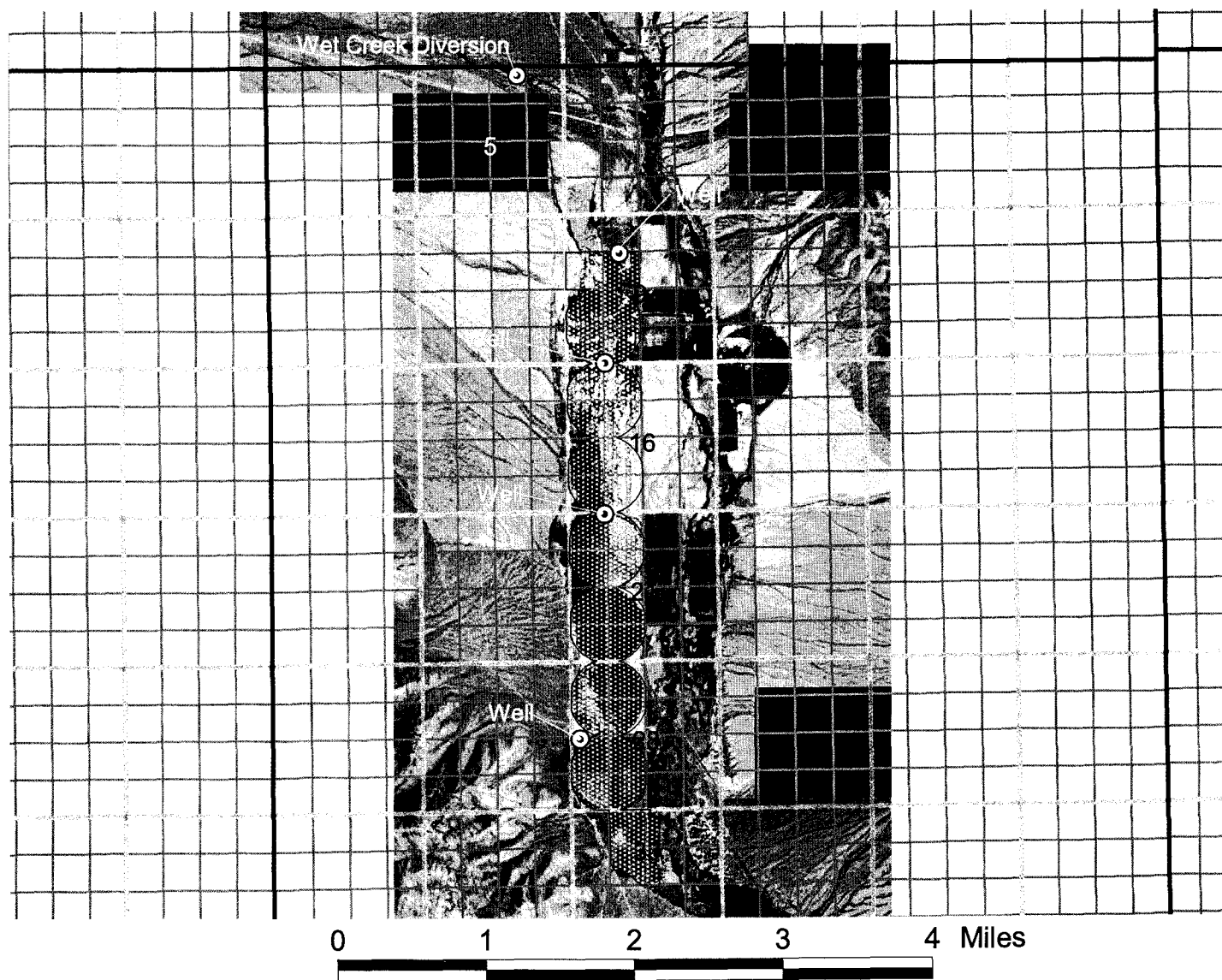
Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



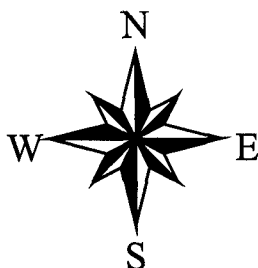
Department of Water Resources

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



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

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

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

01/07/2002

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

1122 ACRES TOTAL

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

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT FROM DRY CREEK AT THE ORIGINAL POINT OF DIVERSION IN T10N R25E S31 SWNEENW. 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

works of a The right holder shall maintain a measuring device and lockable controlling
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.



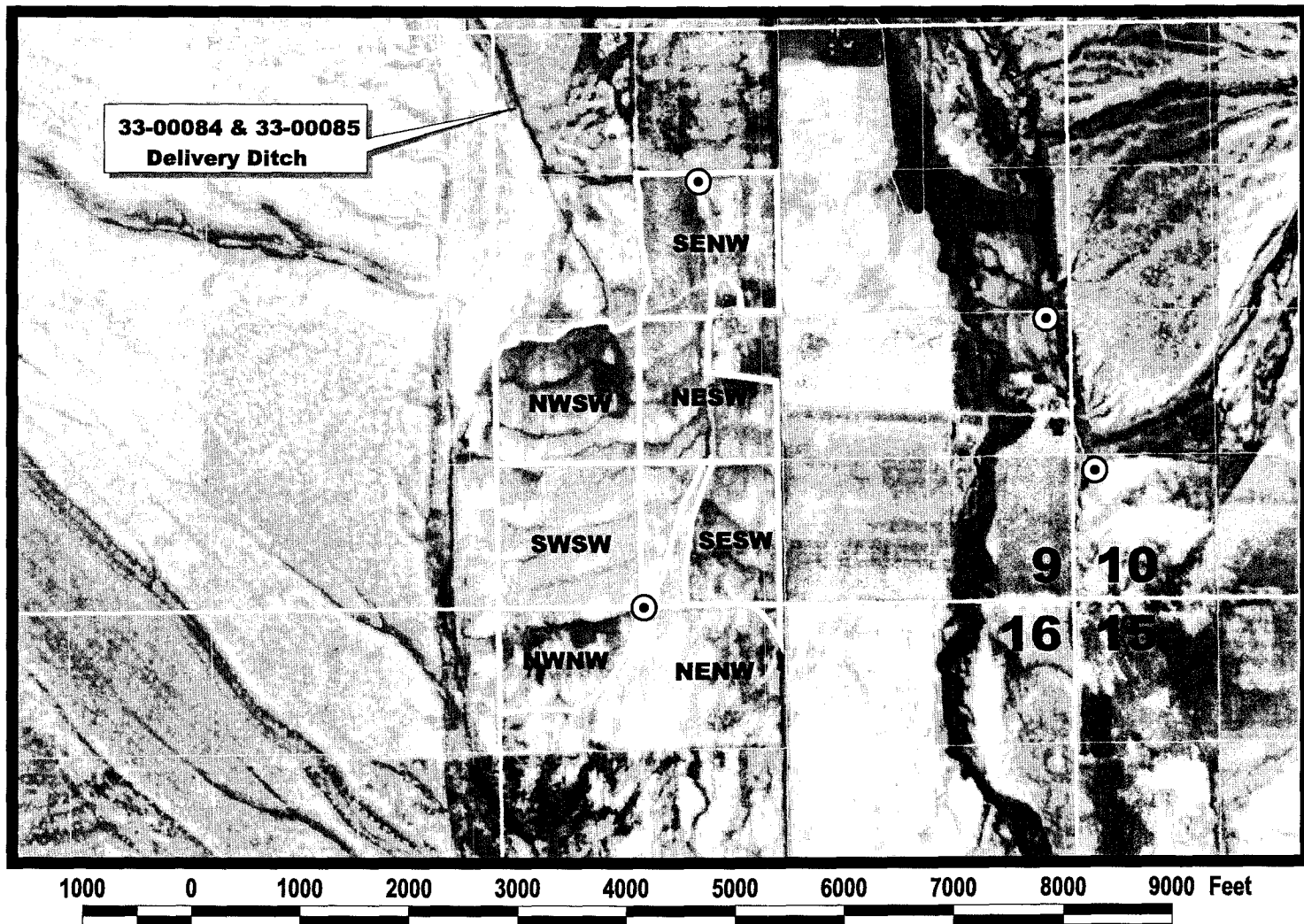
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-00084, 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.

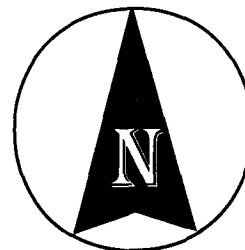
Sec. 9 (parts of) SW, SENW

Sec. 16 (parts of) N2NW

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

Sec. 5 NENWNE (surface)

Sec. 9 NWSENW (well)



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



STATE OF IDAHO

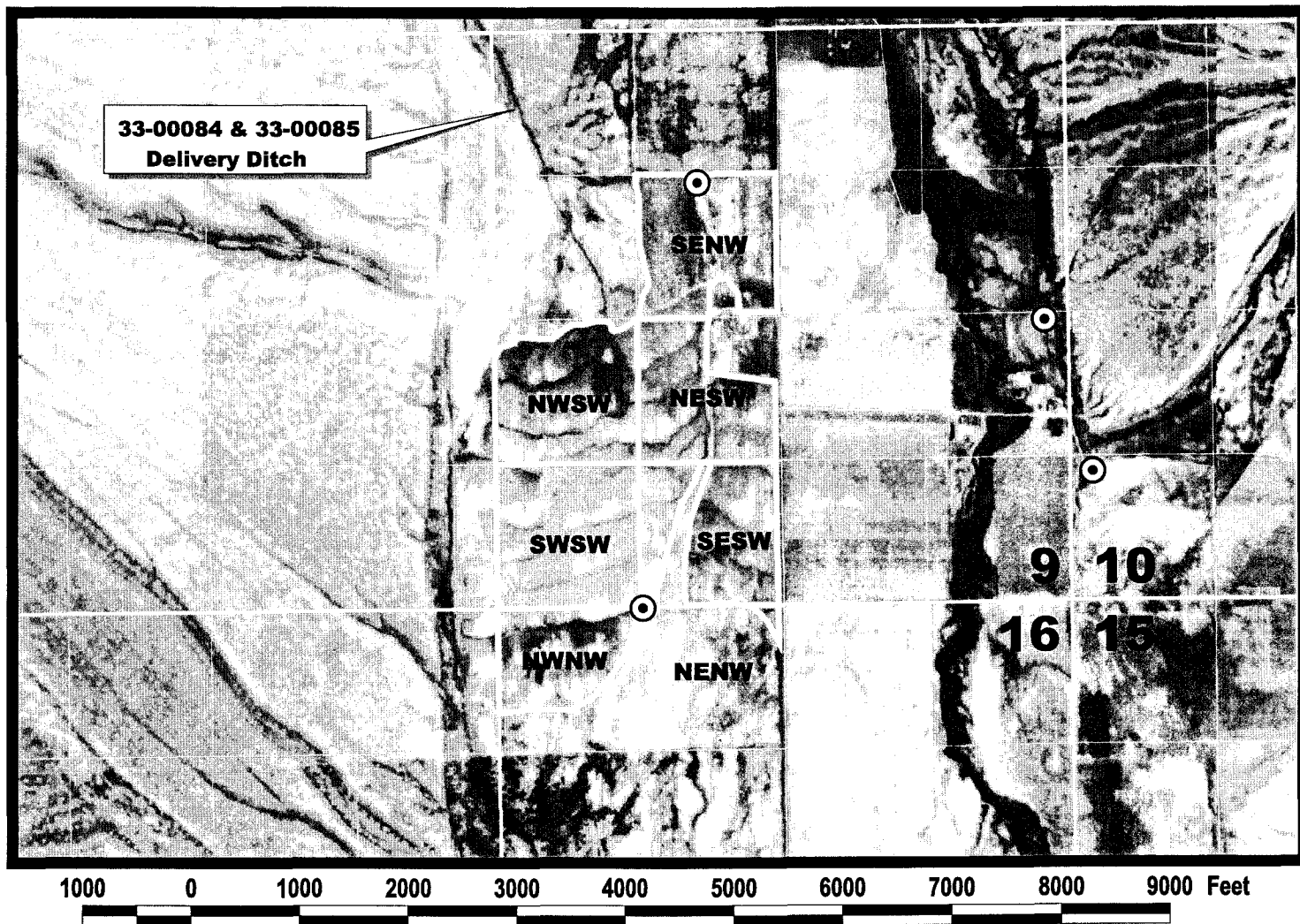
Department of Water Resources

Eastern Region

*Revised
10/10/99*

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.

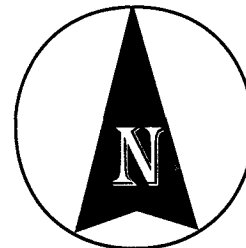
Sec. 9 (parts of) SW, SENW

Sec. 16 (parts of) N2NW

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

Sec. 5 NENWNE (surface)

Sec. 9 NWSENW (well)



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



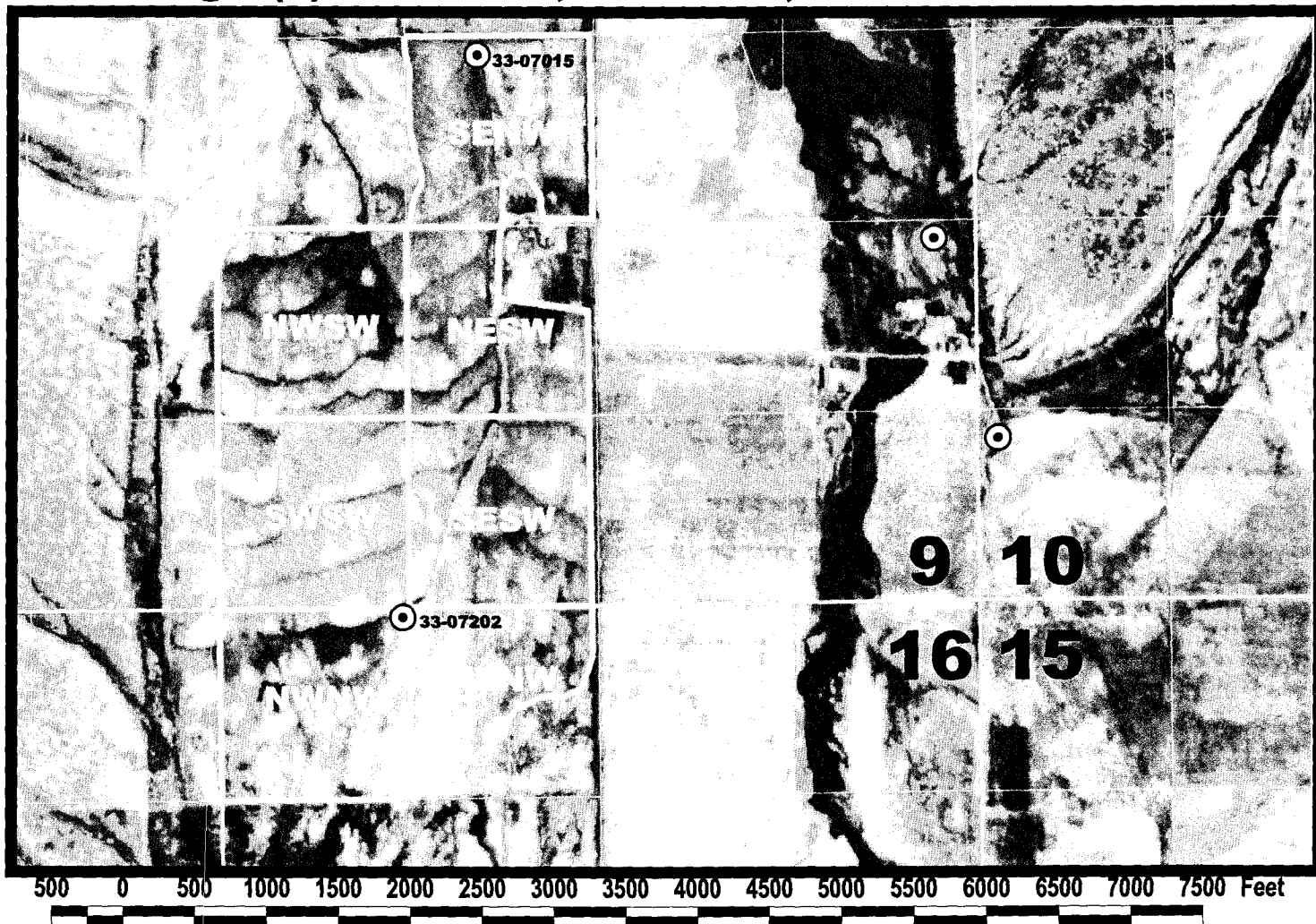
STATE OF IDAHO

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

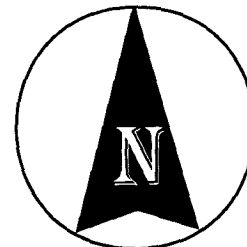
Section Line

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 NWSNW**



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

33-07015

SENW
36

NWS
39

NESW
30

SWSW
40

SESW
38

33-07202

NWNW
40

NENW
26

9

10

16

15



12/11/2001

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

RIGHT NUMBER: 33-85
NAME AND ADDRESS: PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE ID 83244

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 2.880 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.98 CFS. COMBINED RIGHT NOS.: 33-00084,
33-07015, AND 33-10998.

PRIORITY DATE: 04/15/1891

POINT OF
DIVERSION: T10N R25E S31 SWNENW Within BUTTE County
T10N R26E S36 NWSWNW Injection Within BUTTE County
T09N R27E S5 NENWNE Rediversion Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	2.880 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.: 33-00084, 33-07015, AND 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 144 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

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.

DATE: 12/13/99
PAGE: 1

DIVERSION VOLUME

04-01 11-01	2.880 CFS

TOTAL DIVERSION:	2.880 CFS

Stage: DECREED

BUTTE County
BUTTE County
BUTTE County

		NE				NW				SW				SE					
		NENE		NUNE		SENE		NNNW		SNNW		NESW		SWSW		SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N	27E	9																	183.0
09N	27E	16							40	26			36						66.0
																		TOTAL ACRES	249.0

Other Rights: 33-00084, 33-07015

- 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.

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 AND 33-07015.

THE AMOUNT OF WATER REDVERTED 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.

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.: 33-00084 AND 33-07015.

Per Po# 23
Per Po# 90

=====

Remarks: EXP RIGHT NO. 33-00084 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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

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

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

Water Right Number - A33-00085

Old (D) Number -

+ - - - - Last Name - - - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PANCHERI, INC.

1 - % JERRY PANCHERI, PRES.

2 -

3 -

State- ID Zip- 83244

City- HOME
Phone - 208-767-3419+ - - - - Priority Date - - - - - + - - - - Region - - - - - + - - - - Stage - - - - - + - - - - Status - - - - - +
04/15/1891 15 EASTERN D - DECREED+ - - - - Source - - - - - + - - - - Tributary - - - - - + - - - -
DRY CREEK LITTLE LOST RIVER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

TwN	Rng	Sec	Tract	Lot	Rflg	County
05N	29E	4	SE SE			(23) BUTTE
06N	29E	30	SW NW			(23) BUTTE
		32	NW NW			(23) BUTTE
09N	27E	5	NW NE			(23) BUTTE
		33	NW NE			(23) BUTTE

+ - - - - Code Description Period From Period To Diversion Rate Diversion Volume - - - - - +
01 - IRRIGATION 04/01 11/01 3.200+ - - - - Total Div. Rate - + - - - - Total Div. Volume - + - - - - Total Div. Capacity - + - - - - Total Consumptive Use - + - - - - KW Usage - + - - - -
3.200 3.200 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
05N	29E	3	NW NE	39.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	3	SW NE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	3	NW SW	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SW SW	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	NE NE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	NW NE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SW NE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SE NE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	NW NW	38.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SE NW	30.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	NE SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	NW SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SW SE	35.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	4	SE SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	5	NE NE	28.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	10	NE SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	10	NW SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE
05N	29E	10	SW SE	40.0	01	IRRIGATION	01	IRRIGATION	(23) BUTTE

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Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
05N	29E	10	SE SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	NE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	NW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	SW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	SE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	NE SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	NW SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	SW SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	11	SE SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	12	NE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	12	NW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	12	SW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	12	SE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NE NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NW NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SW NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SE NE		39.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NE NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NW NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SW NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SE NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SW SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SE SW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NE SE		39.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	NW SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SW SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	13	SE SE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	NE NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	NW NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	SW NE		37.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	SE NE		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	NE NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	SE NW		40.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	SE SW		30.0		01 IRRIGATION	(23) BUTTE
05N	29E	14	SE SE		31.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	NE SW		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	SW SW		38.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	SE SW		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	NE SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	NW SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	SW SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	29	SE SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	30	SE SW		27.0		01 IRRIGATION	(23) BUTTE
06N	29E	30	SW SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	30	SE SE		40.0		01 IRRIGATION	(23) BUTTE
06N	29E	31	NE NE		33.0		01 IRRIGATION	(23) BUTTE
06N	29E	31	NW NE		40.0		01 IRRIGATION	(23) BUTTE

MICROFILMED
APR 15 1994

Water right number - A33-00085 Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
06N	29E	31	NE NW		18.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	SW NE		39.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	NE NW		35.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	NW NW		37.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	SW NW		10.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	SE NW		38.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	NE SW		14.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	NE SE		40.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	NW SE		35.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	SW SE		39.0		01	IRRIGATION	(23) BUTTE
06N	29E	32	SE SE		26.0		01	IRRIGATION	(23) BUTTE
06N	29E	34	SW SW		38.0		01	IRRIGATION	(23) BUTTE
06N	29E	34	SE SW		39.0		01	IRRIGATION	(23) BUTTE
06N	29E	34	SW SE		40.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	NW NE		24.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	SW NE		15.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	NE NW		35.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	NW NW		14.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	SW NW		2.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	SE NW		40.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	NE SW		35.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	SE SW		32.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	NW SE		25.0		01	IRRIGATION	(23) BUTTE
08N	27E	3	SW SE		40.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	NE NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	NW NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	SW NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	SE NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	NE SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	SW SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	9	SE SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	NE NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	NW NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	SW NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	SE NW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	NE SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	SW SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	16	SE SW		39.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	NW NW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	SW NW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	SE NW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	NW SW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	SW SW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	21	SE SW		33.0		01	IRRIGATION	(23) BUTTE
09N	27E	28	NE NW		33.0		01	IRRIGATION	(23) BUTTE

MICROFILMED
APR 15 1994

Water right number - A33-00085

Prefix Translation: ADJUDICATION CLAIM

+-----	
--	--

Total Acres: 4699.0

+ - - Diversion Means - DIVER. DAMS AND WOOD HEADGATES

+ - - Non-Irrigation Use - S/ STOCKWATER

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - - Remarks - - - - -
OTHER RIGHTS: 33-02014, 2056, 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

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - +
BLAINE CO. INVEST. CO. MAYS ET AL. + - - Decree Date - - +
00/00/0000

+ - - Audit Fields - 02/15/90 DCARLSON

+ - - - - - Comments - - - - -
No Comments Found

MICROFILMED
APR 15 1994

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	04/23/1985	Old Judicial District	-	
Claim Received Date	-	01/15/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	E011683	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-		Notice of Error Flag	-	

MICROFILMED
APR 15 1994

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: A33-00085
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: APR 15, 1891

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ STOCKWATER

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	29E	3	NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			Section Acres					159.0
		4	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NW		NW		IRR	38.0
			SE		NW		IRR	30.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	40.0
			Section Acres					383.0
		5	NE		NE		IRR	28.0
			Section Acres					28.0
		10	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					160.0
		11	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					320.0
		12	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					160.0

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

Section Acres 94.0

Total Acres 4699.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
SEE REMARKS

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

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

BLAINE CO. INVEST. CO.
Decree Plaintiff

MAYS ET AL.
Decree Defendant

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: 039576
Ident. Number A33-0085
Date Received 1/11/90
Receipt Number E011683

RECEIVED

JAN 11 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

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) April 15, 1891

3. Source of water supply (a) Dry 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.

MICROFILMED

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 3.20 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) 3.20 (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:		38'		30:						40'	40'	35'	40:383
:	:	5:	28'															:28
:	:	10:													40'	40'	40'	40:160
:	:	11:								40'	40'	40'	40:	40'	40'	40'	40:	320
:	:	12:								40'	40'	40'	40:					:160
:	:	13:	40'	40'	40'	39:	40'	40'	40'	40:	40'	40'	40'	40:	39'	40'	40'	40:638
:	:	14:	40'	40'	37'	40:	40'			40:				30:				31:298
6N:29E:	29:									40'		38'	40:	40'	40'	40'	40:	278
:	:	30:												27:			40'	40:107
:	:	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 33-0085

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

13. Describe any other water rights used at the same place and for the same
purposes as described above.

See attached list of water rights. or None ()

14. Remarks:

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

If applicable provide IDWR Water Right Number 33-0085
Court Sixth District for Butte County Case Number Decree
Date March 4, 1927 Plaintiff vs Defendant The Blaine County Invest. Co. v.
Robert G. Mays, et al.

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received,
read, and understand the form entitled "How you will receive notice in
the Snake River Basin Adjudication." (b.) I/We do do not X
wish to receive and pay a small annual fee for monthly copies of the
docket sheet.

Number of attachments 3

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

Signature of Claimant(s) Date
 Date

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

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

foregoing document are true and correct.

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

Last Name Pancheri, Inc. Ident. Number 33-0085

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

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

Notary Public [Signature]
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

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

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

Last Name Pancheri, Inc. Ident. Number 33-0085

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

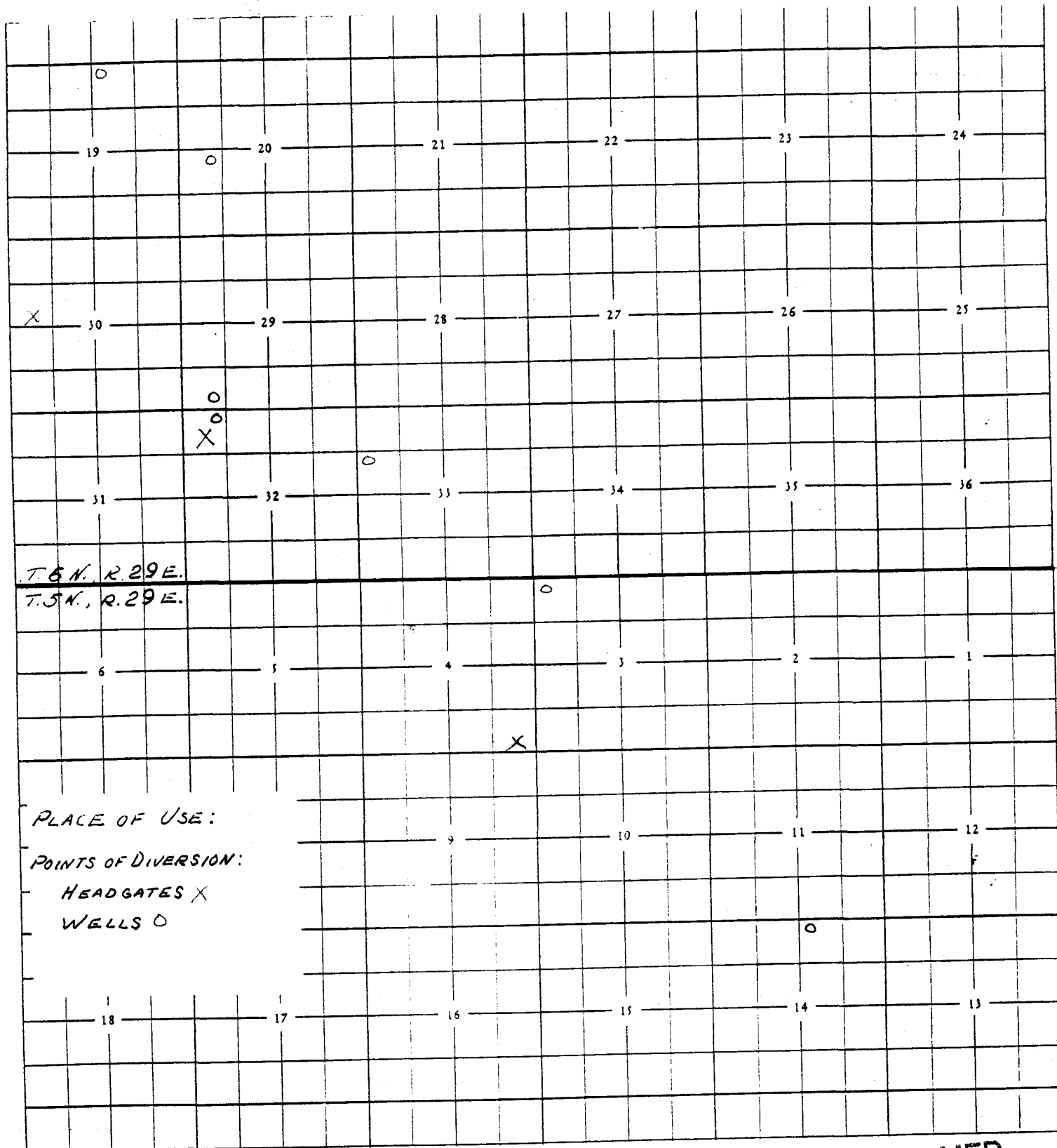
<u>RIGHT #</u>	<u>RIGHT #</u>
33-2014	33-0029
33-2056	33-0030
33-2065	33-0031
33-2066	33-0032
33-2093	33-0033
33-2108	33-0034
33-2113	33-0035
33-2117	33-0036
33-2126	33-0039
33-7015	33-0040
33-7027	33-0041
33-? (expansion of groundwater licenses under Idaho Code §42-1416(2))	33-0042
33-0002	33-0043
33-0003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

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

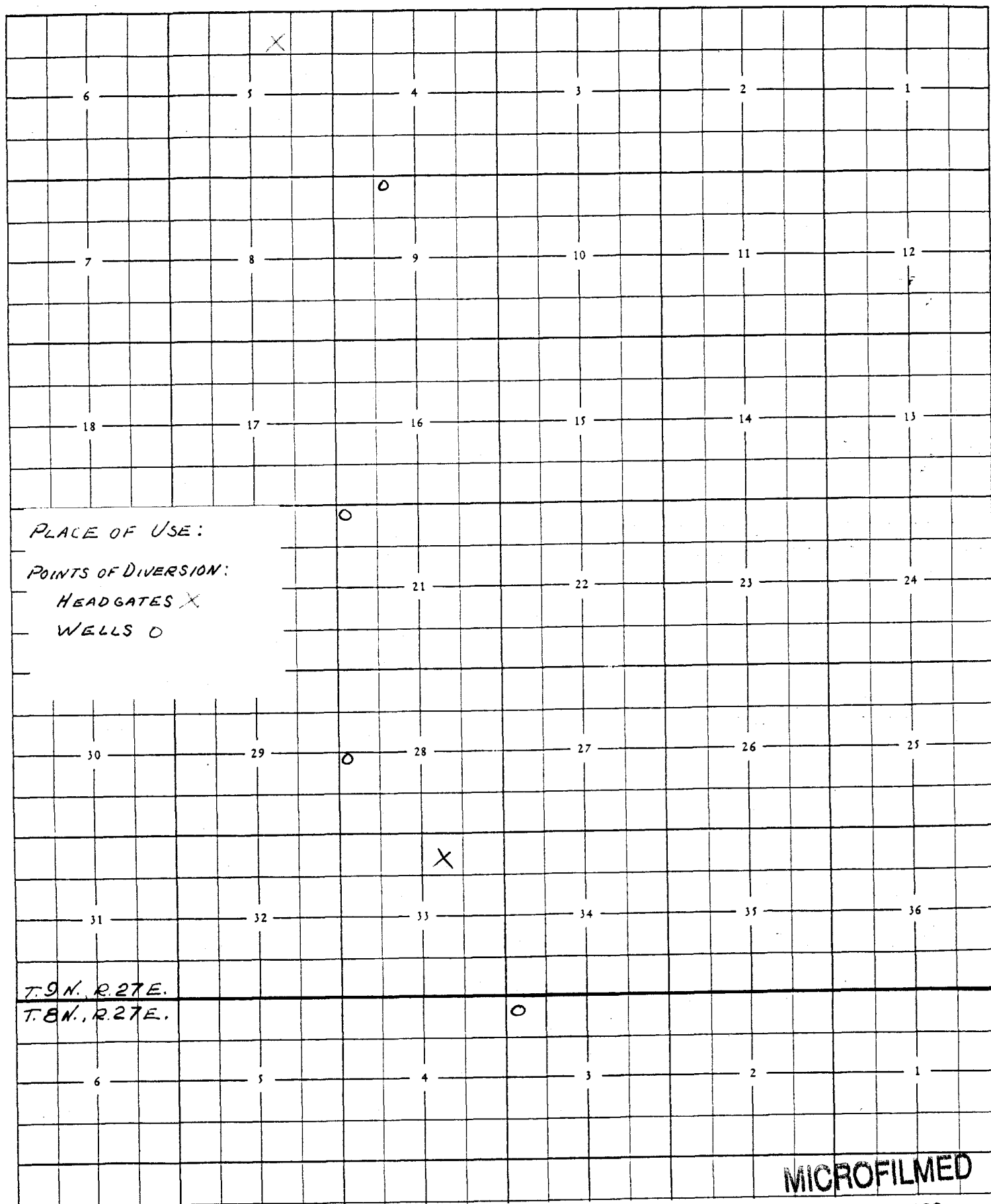
5676h/srr

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