

Pancheri, Inc.
South Creek Ranch
33-00101A
Per Tx #5798

NWNE

14.9

SWNE

24.8

SENW

22.5

BLM LANDS

5.1

NWSE

NESW

29.5

SESW

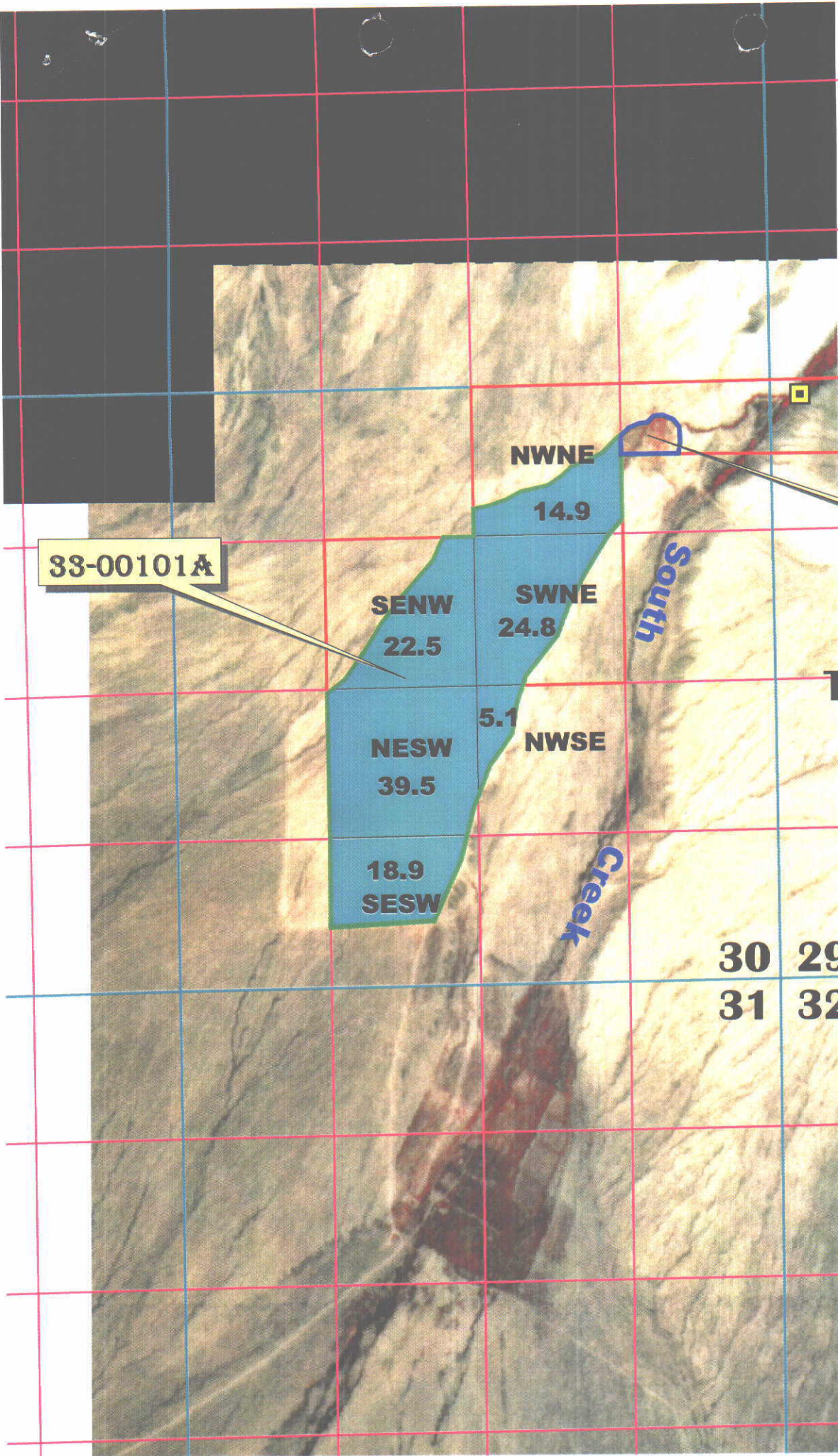
28.9

South Creek

T7N, R29E
Section 30

30 29

31 32



33-00101A

33-00101B

T.7N., R.29E.

30	29
31	32

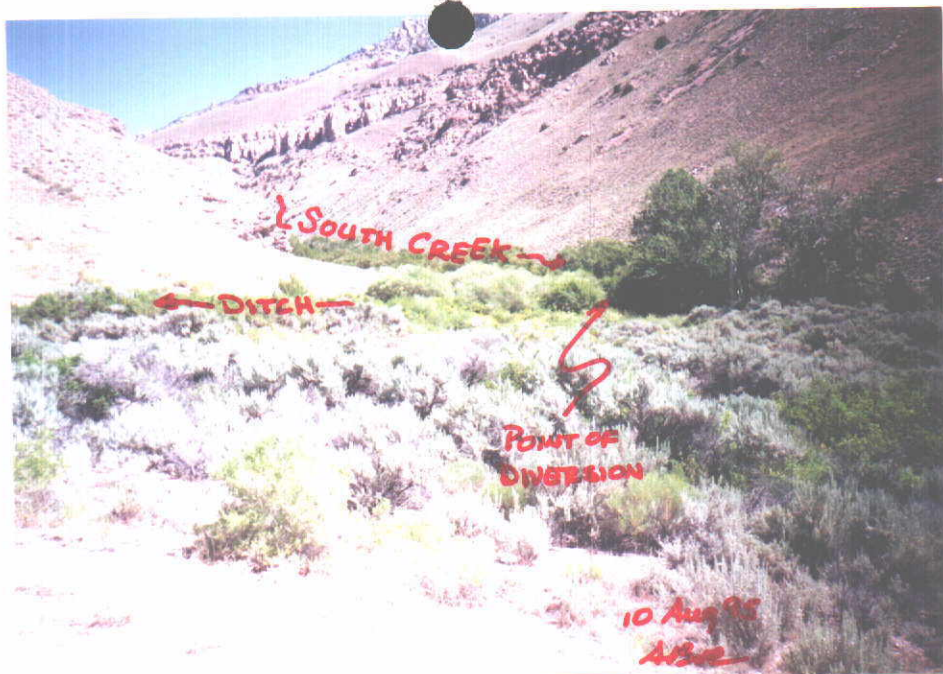


Photo 1. Looking UP CANYON
OF SOUTH CREEK DRAINAGE.
NOTE OVERGROWTH OF POINT
OF DIVERSION.

CONVEYANCE DITCH HAS MANY
LEAKS AND MUCH OVERGROWTH.



Photo 2. CONVEYANCE DITCH
WHICH FLOWS ROUGHLY THROUGH
THE MIDDLE OF THE LIPPEZ
PART. LOOKING UP (NORTH-EASTERLY)



Photo 3. CONVEYANCE DITCH,
BACK-TO-BACK WITH Photo 2.
LOOKING DOWN VALLEY.

Photos taken 10 Aug 95
ABR



Photo SET. SHOWING LATERAL DITCH WITH CANVAS DAM DIVERSION, ONE OF SEVERAL DITCHES USED TO FLOOD IRRIGATE WESTSIDE OF THE MAIN DITCH. SEE ASCS PHOTO COPY FOR LOCATION.



Photo 1A. LOOKING DOWN DRAINAGE AT POINT OF DIVERSION. NOTE OVERGROWTH.



Photo 1B. FROM DOWN STREAM LOOKING UP AT POINT OF DIVERSION. NOTE LEAKAGE WATER FROM ONE OF SEVERAL LEAKS.

Photos taken 10 Aug 95
ABR



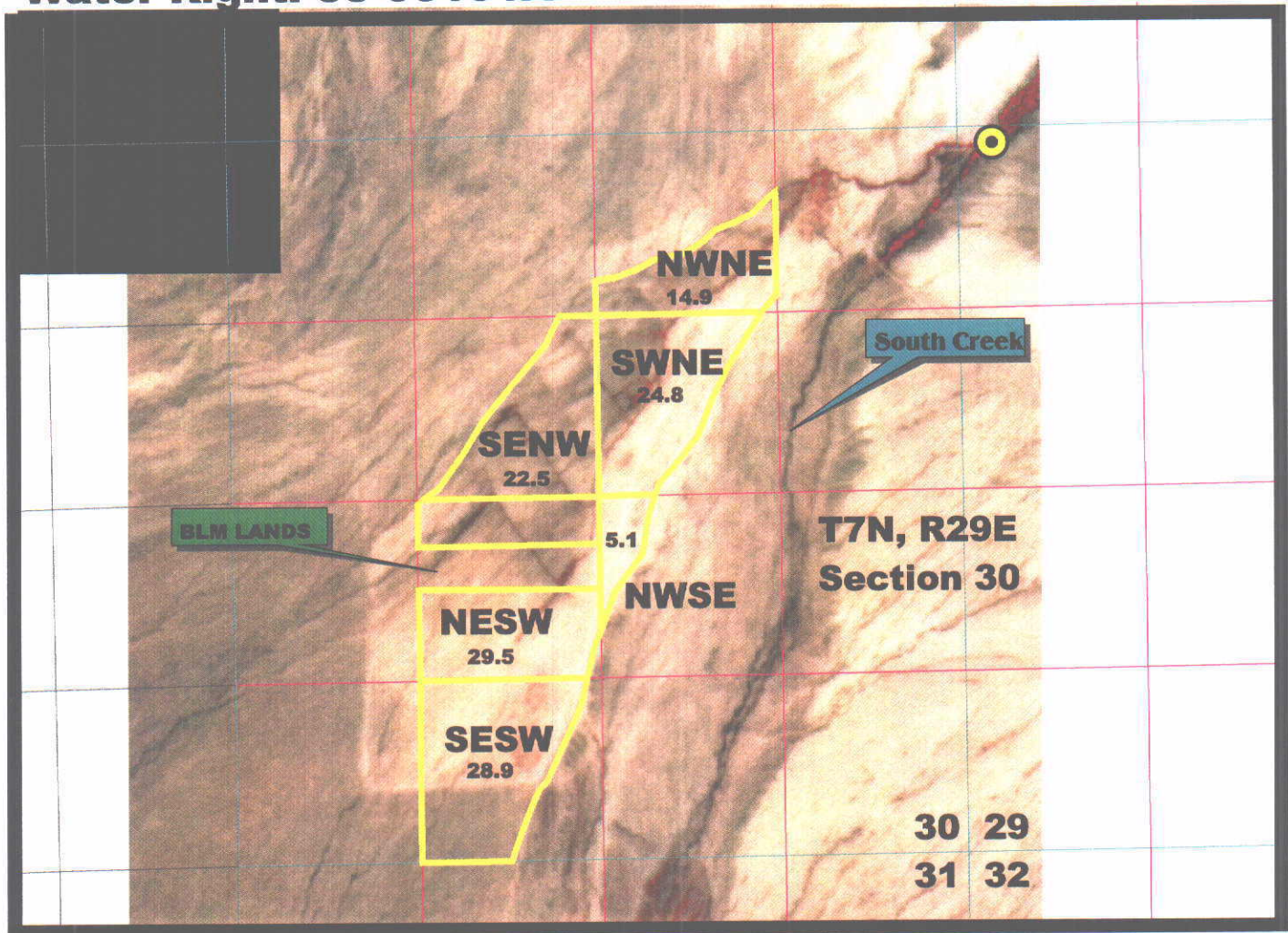
STATE OF IDAHO

Department of Water Resources

Eastern Region

Pancheri, Inc.

Water Right: 33-00101A



750 0 750 1500 2250 3000 3750 4500 5250 6000 Feet



125.7 irrigated acres

POU per Tx #5798

-  Inters2.shp
-  7n29e.shp
-  P7n29e.shp
-  GCDBT07N28E.shp



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2001



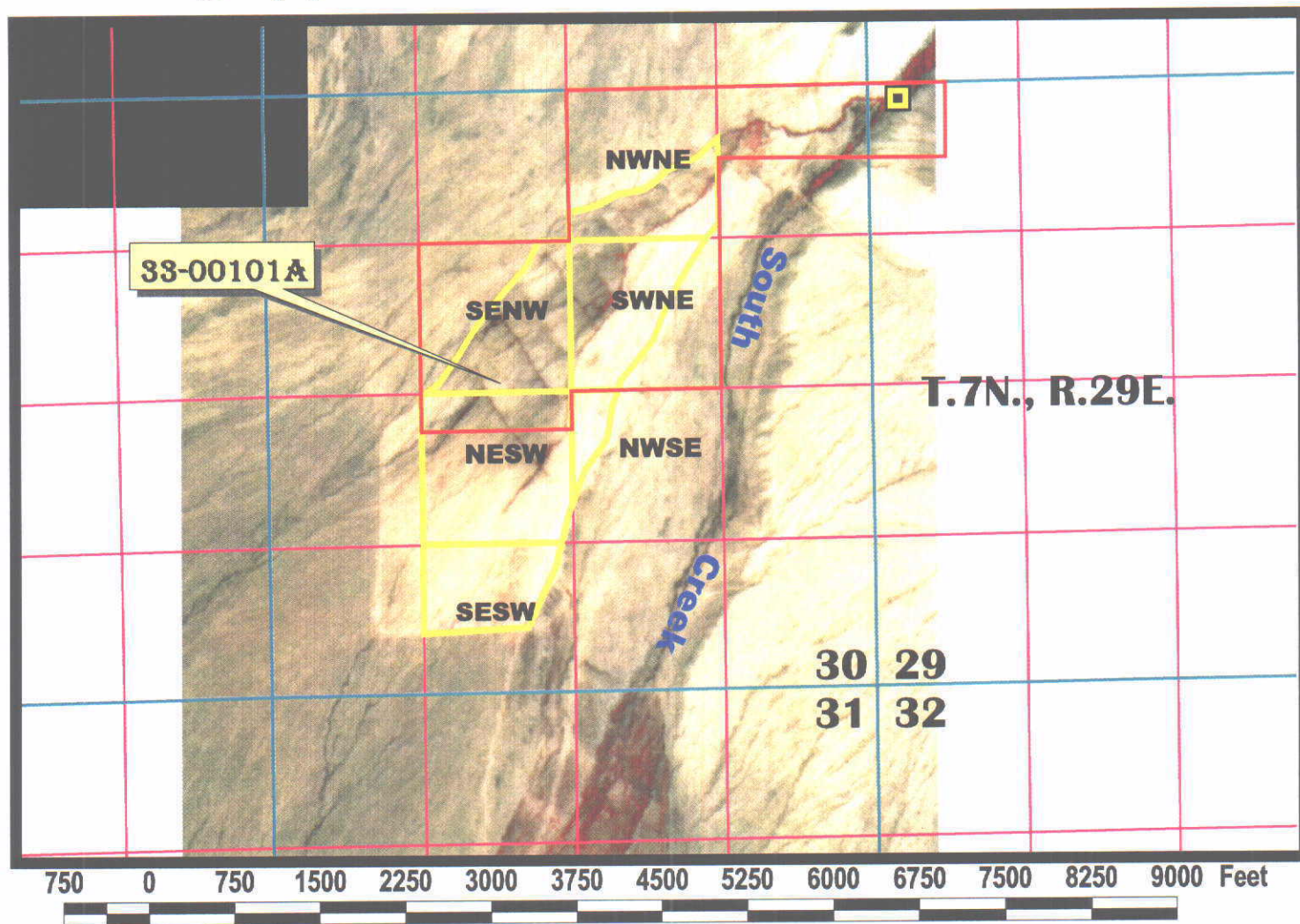
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri, Inc.

Water Right(s): 33-00101A



LEGEND



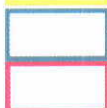
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

Place(s) of Use: T.7N., R.29E.
(parts of) Sec. 30 W2NE,
SESW, E2SW, NWSE

Point(s) of Diversion: T.7N., R.29E.
Sec. 29 NWNWNW



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

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: 33-101A

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 5798

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

☒ Other: added explanatory remark & AF-7 to 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: 4/3/01

Ernest Calver

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 10, 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:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
KENT W FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cheri Undermeulen

Signature of person or attorney mailing the form

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5798
WATER RIGHT NO. 33-00101A

RECEIVED

OCT 26 2000

Department of Water Resources
Eastern District Office

This is to certify that: **PANCHERI INC**
C/O HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.90 CFS	440.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SOUTH CREEK	LITTLE LOST RIVER

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION: NWNWNW , Sec. 29, Township 07N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 29E 30	NWNE 14.9	SWNE 24.8	SENE 22.5	
	* NESW 29.5	SESW 28.9	NWSE 5.1	125.7
		Total number of acres irrigated:		125.7

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
2. 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.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5798
WATER RIGHT NO. 33-00101A

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 6. The acres which are no longer authorized for irrigation under Right 33-00101A are specifically described as follows: 10 acres of federal public land in the S1/2N1/2NESW, Section 30, T7N, R29E.
7. Right 33-00101B is also diverted through the point of diversion described above.

Dated this 23rd day of October, 2000.

J. New Saylor
Chief, Water Allocation Bureau

Pancheri, Inc.
South Creek Ranch
33-00101A
Per Tx #5798

NWNE

14.9

SWNE

14.8

SENW

22.5

BLM LANDS

5.1

NESW

29.5

NWSE

SESW

28.9

South Creek

T7N, R29E
Section 30

30 29

31 32

33-101A
DISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS, STATE OF IDAHO
OCT 25 2000

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

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

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

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

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

DATED: 10/25/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

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

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

Kent Foster

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

Steve Horvath
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

August 2, 2000

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

RE: Application for Transfer #5798 (33-00101A) and Notice of
Administrative Proceeding (NAP)

Dear Mr. Foster:

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

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

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA)

Water Rights: 33-00101A

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 5798

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

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

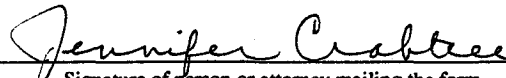
DATED: 14 Aug 2000

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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



Signature of person or attorney mailing the form

RECEIVED

APR 10 2000

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

In Re SRBA

Case No. 39576

A. Subcase 33-00101A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

Daytime Phone: see below

Name & Address of Attorney, if any:

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

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

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

Name: Pancheri, Inc.

Address: HC 65 Box 2104 Howe, ID. 83244

Name: c/o Jerry Pancheri, President

Address:

Name:

Address:

Name:

Address:

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

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

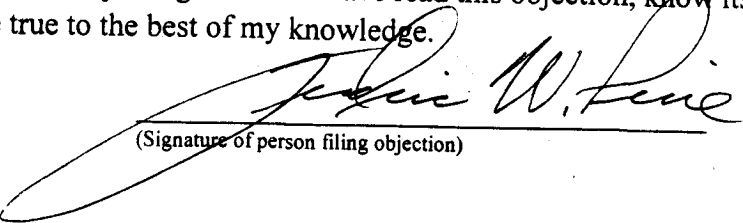
State of Idaho)

) ss.

County of Ada)

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

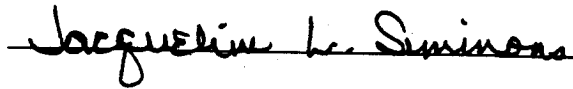
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

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





Jacqueline L. Simmons

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: Pancheri, Inc.

Address: HC 65 Box 2104 Howe, ID. 83244

Name: c/o Jerry Pancheri, President

Address:

Name:

Address:

Name:

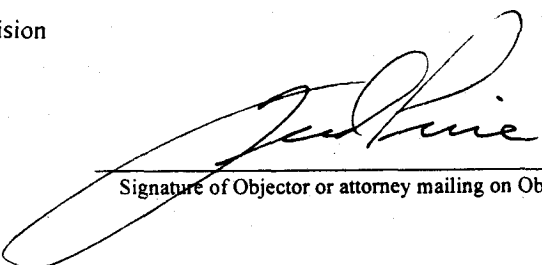
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 33-00101A
NAME & ADDRESS: PANCHERI INC
C/O JERRY PANCHERI PRES HC 65 Box 2104
HOWE ID 83244
SOURCE: SOUTH CREEK TRIBUTARY: LITTLE LOST RIVER
QUANTITY: 1.9 CFS
PRIORITY DATE: 05/01/1889
POINT OF DIVERSION: T07N R29E S29 NWNWNW Within BUTTE County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 11-01 1.9 CFS
PLACE OF USE: IRRIGATION Within BUTTE County
T07N R29E S30 NWN 14.9 SWNE 24.8 SENW 22.5 NESW 39.3
SESW 18.9 NWSE 5.1
125.7 ACRES TOTAL THE USE OF WATER WITHIN T07N R29E S30 NESW IS LIMITED
TO THE NYL NYL AND THE SYL OF THAT PLACE OF USE.
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE. Mixed ownership
RIGHT NO. 33-00101B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Issue:

Circled place of use is mixed ownership between
BLM and private

→ Claimant needs to clarify more
specifically where the irrigation
is taking place

→ Farming on public land is not autho.

RECEIVED

FEB 22 2000

Department of Water Resources
Eastern Region

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

In Re SRBA	)	SUBCASE NOS. 33-00044,
	)	33-00045, 33-00046, 33-00101A,
Case No. 39576	)	33-02068A, 33-02068B, 33-02108B,
	)	33-02117A 33-02117B, 33-02126B,
	)	33-10997, 33-10998, 33-10999
	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

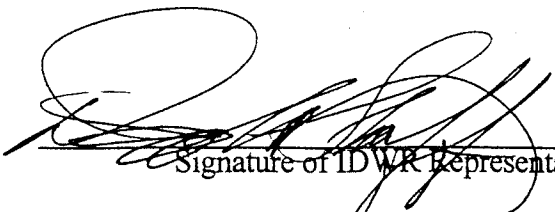
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:
Pancheri, Inc.
C/O Jerry Pancheri, President
HC 65, Box 2104
Howe, ID 83244

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 *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: 2/15/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-15, 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 or attorney of record:
Pancheri, Inc.
C/O Jerry Pancheri, President
HC 65 Box 2104
Howe, ID 83244
3. One Copy to:
Each party in the subcase or attorney of record:
Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P.O. box 50130
Idaho Falls, ID 83405
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Sandy Egbert

Signature of person or attorney mailing the form

AJ5856NP

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

DATE: FEB-15-2000
PAGE: A-7

RIGHT NUMBER: 33-00101A

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

SOURCE: SOUTH CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 1.9 CFS

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION: T07N R29E S29 NWNWNW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 11-01	1.9 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T07N R29E S30	NWNE 14.9	SWNE 24.8	SENE 22.5	NESW 39.5
		SESW 18.9	NWSE 5.1		
	125.7 ACRES TOTAL				

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 33-00101B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

A33-00101A
PANCHERI, INC.
% JERRY PANCHERI, PRES.
HOWE, ID 83244



A3300101A

South Creek

☒ NEED ASES Photo

☒ Photo P.O.U. AND MAP

☒ VISIT P.O.D.'s HOW DO THEY COMING FOR P.O.U.

~~10N 27E S5 DELETED~~

7N 29E S29

☐ NEED SOIL TYPE INFO

☐ HUBBLS ANALYSIS - JAKE

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: 33-00101A

PANCHERI INC
% JERRY PANCHERI PRES
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 the Sinks

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

Because we feel 33-00101A isn't tributary to the Little Lost River, it never has made it to the river.

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

DATE: 12/21/99 SIGNATURE: Rad Pancheri
Please print your name: _____

Pancheri Inc. So. Creek Ranch
33-00101

- A. DECEDED AS 2.0 cfs ... (LEGAL) ... CONTAINING 160 ACRES.
6/23/99 MEETING CONSENSIONS TO 120-130 ACRES.
6/24/99 RE-EVALUATION BY GPS = 125.7 ac.
6/1996 33-00101 IS SPLIT BY CHANGE OF OWNERSHIP AS:

33-00101A, 1.9 cfs (95"), Pancheri, Inc.

33-00101B, 0.1 cfs (5"), D & P TRUST

OVERALL DIVERSION RATE: $2.0 \text{ cfs} \div 125.7 \text{ ac} = 0.0158 \Rightarrow 0.016 \frac{\text{cfs}}{\text{ac}}$

B. EVALUATION BY GPS.

- 1.) D & P TRUST WAS DECEDED 5" OR 0.10 cfs

GPS IRRIGATION ACRES 3.3.

OK FOR D&P,
STO LIOAC

$$0.10 \text{ cfs} \div 3.3 \text{ ac} = 0.030 \text{ cfs/ac} \left(1\frac{1}{2}"/\text{ac}\right)$$

RE: 42-220 IC, MAXIMUM ALLOWABLE EQUATES TO
1"/ac w/o SUFFICIENT DOCUMENTATION TO EXCEED,

$$@ 3.3 \text{ ac} \times 0.016 \text{ cfs/ac} = 0.05 \text{ cfs RECOMMENDED OR } 2\frac{1}{2}"/\text{ac}$$

a) SUGGESTION:

PANCHERI, INC. RE-AQUIRES 2.5" BY SALE, TRADE, LEASE,
etc. (HOWEVER, I'M NOT SURE TRADE, LEASE, RENTAL,
OR OTHER NON-SALE EVENT IS LEGALLY
ALLOWABLE SINCE D&P WOULD STILL ACTUALLY
OWN THE RIGHT PORTION IN CONVEYANCES)

NO

- b) SOLUTION: PANCHERI PURCHASES 2.5" FROM D & P TRUST

- 2.) Pancheri, Inc. (GIVEN THE ABOVE 'BUY-BACK' OF 2.5")

WOULD THEN HOLD 1.95 cfs (97.5") TO BE USED ON
122.5 ac.

$$1.95 \text{ cfs} \div 122.5 \text{ ac} = 0.0159 \text{ cfs/ac} \Rightarrow 0.016 \text{ cfs/ac}$$

PROBLEM: SOME OF THE 122.5 ac ARE WITHIN BLM HOLDINGS.

APPROXIMATELY 14.6 ac. BLM WILL OBJECT TO A RECOMMENDATION

NO

2.) PANCHORD, INC. (CONTINUED)

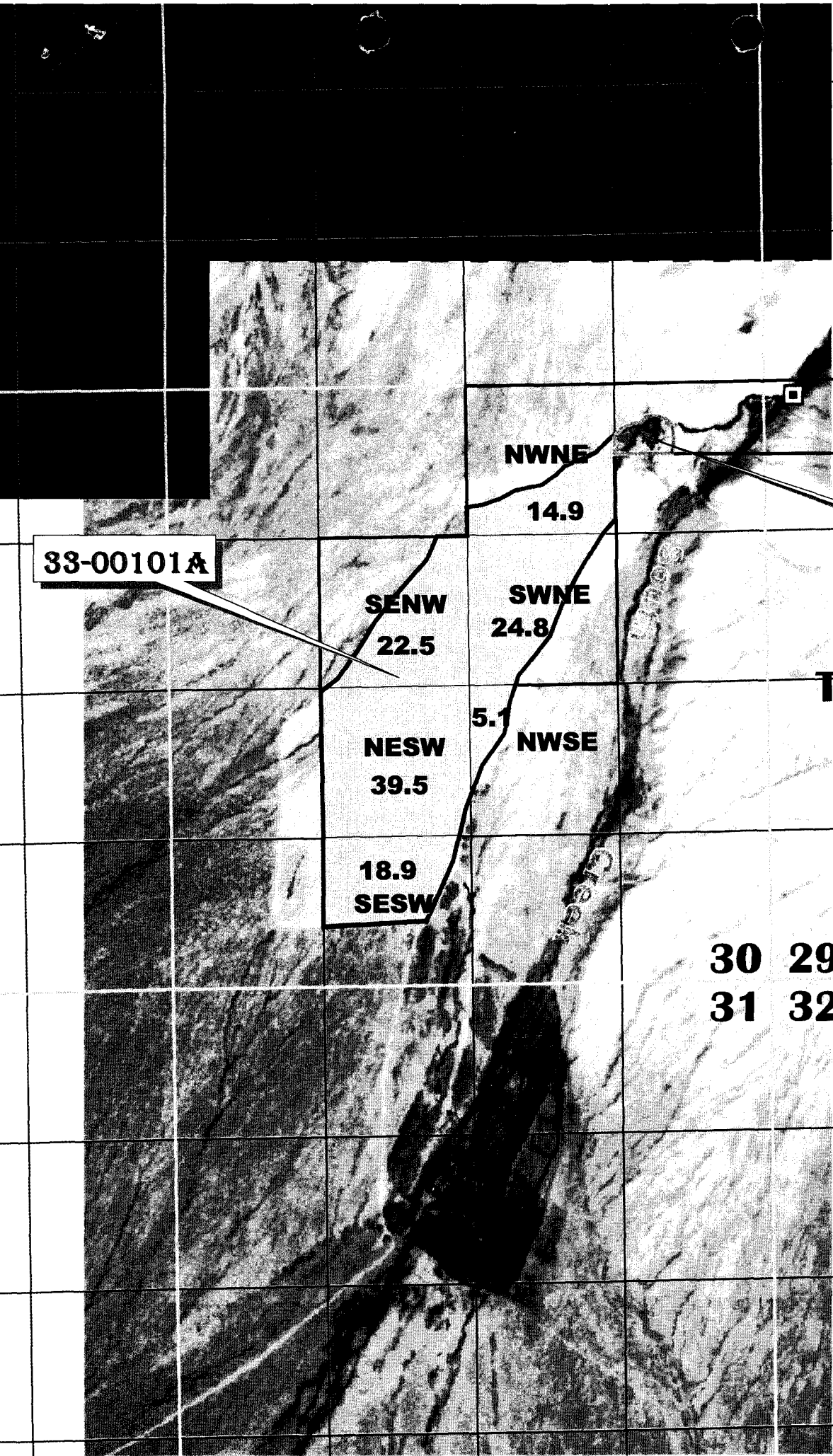
OF USES ON THEIR LANDS (W/O A PRIOR AGREEMENT)

a) SUGGESTION OF OPTIONS:

- 1.) CLAIM BLM ACRES; THEY OBJECT; NEGOTIATE A TRANSFER OF BLM ONTO PANCHORD, INC. HOLDINGS.
- 2.) DON'T CLAIM BLM LAND - RESULT, PANCHORD LEASOR CONTINUES TO RANK QUESTIONED ACRES. REMAINING ACRES GETS A CONCENTRATED DIV. RATE/AC.
- 3.) OBTAIN A WRITTEN AGREEMENT W/ BLM TO RANK THESE ACRES.

NOTE CALCULATIONS ARE DONE USING ROUNDED NUMBERS.

SOME SLIGHT VARIATION OF FINAL NUMBER MAY OCCUR.



33-00101A

33-00101B

T.7N., R.29E.

30 29
31 32



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

7250

Mr. Jerry Pancheri
Howe, Idaho 83244

*9/30/99
NO Response from Pancheri
OR Koston*

July 6, 1999

RE: Our 7/1/99 meeting to discuss water rights and agricultural trespass on BLM

Dear Mr. Pancheri:

Thank you for visiting with Bruce Bash, Skip Staffel and me last week to discuss the status of your water rights in the Snake River Basin Adjudication (SRBA) and how they could be affected by your agricultural use of public land. Since the director's report will be coming out soon, this is the optimal time to take care of any unauthorized use and to make sure your water rights reflect the irrigation use that it was intended for. The following is a summary of our discussion as I understand it:

The BLM parcels near Clyde are divided by a fence that separates them from adjacent BLM parcels. In the past, you had farmed up to the fence, but the installation of a center pivot three years ago eliminated the public land from your farming operation. The following is a list of BLM tracts that were previously farmed:

T.9N, R.27E, S.8 SESE (13 acres)
T.9N, R.27E, S.8 NESE (11 acres)
T.9N, R.27E, S.8 SENE (2 acres)
T.9N, R.27E, S.17 NENE (10 acres)

} 36 ac

All of the water rights affecting the above BLM parcels should be re-described as a portion of your private land through an administrative transfer that must be initiated with the Idaho Department of Water Resources (IDWR). I will provide IDWR with a letter stating that BLM does not oppose this transfer.

The BLM parcel near Badger Creek is being flood irrigated from ditches that have run through it for the past 50 to 100 years. Because of the age of the ditches and the fact that you have had a valid water right, the Act of 1866 provides for a grandfathered right-of-way across public land. However, as a result of BLM policy constraints related to the SRBA, we are unable to authorize continued agricultural use of the parcel. In last week's meeting you agreed to manipulate the ditches so public land will no longer be irrigated. It would also be in your best

interest to submit a letter to BLM requesting that the ditches be posted to BLM's master title so that, in the future, BLM will recognize that these ditches are authorized to be there. The following legal description characterizes this tract:

T.9N, R.27E, S.34 NESW (7.3 acres)

Again, the water right affecting the above BLM parcel will need to be transferred off BLM onto another private parcel. I will meet with you on July 22, 1999 to assist you in determining the approximate boundary between your land and BLM land.

The following BLM parcels near South Creek are being irrigated for pasture using wheel lines:

T.7N, R.29E, S.30 NWSW (approx. 8 acres)

T.7N, R.29E, S.30 SWSW (approx. 7 acres)

T.7N, R.29E, S.30 NESW (10 acres on BLM - the rest is private)

NOTHING TO TRANSFER

Even though it is evident that they are not being farmed, the places of use in the NWSW and SWSW will be transferred off BLM onto private land. For the place of use in the NESW, your water right will be split so that BLM holds title to the portion on public land and you will hold title to the portion on private land.

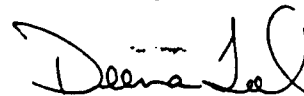
Since the BLM parcels are smaller than the customary 40 acre tracts used to describe places of use, the exact description of the BLM tracts will need to be further described in the remarks section of each water right. For example, the remarks on BLM's water right will state something like, "The place of use at T.7N, R.29E, S.30 NESW only includes 10 acres of federal public land at T.7N, R.29E, S.30 N $\frac{1}{2}$ NWNESW and N $\frac{1}{2}$ NENESW". The remarks on your water right will state something like, "The place of use at T.7N, R.29E, S.30 NESW does not include federal public land".

With the exception of the place of use at T.7N, R.29E, S.30 NESW, you will need to reseed each of the BLM parcels this fall with the following seed mixture:

Bluebunch Wheatgrass (Whitmar)	5 lbs/acre
Indian Rice Grass (Nezpar)	3 lbs/acre

Thanks again for your cooperation in this matter. Feel free to call me at 524-7533 if you have any questions or concerns.

Sincerely,



Deena Teel
Ecologist



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

JUNE 21, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

D & P TRUST
861 N 2850 E
ROBERTS ID 83444

RE: CHANGE IN OWNERSHIP FOR A33-00101

Dear Mr. Bell:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

D & P Trust, A33-00101B, 0.100 cfs, on 18 acres
Pancheri Inc., A33-00101A, 1.90 cfs, on 123 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Pancheri, Inc./copy claim/letter

MICROFILMED
NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A33-00101
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Joe Pancheri clm
- ☐ New Owner/Claimant (Purchaser): D & P Trust
- ☐ New Mailing Address: 861 N 2850E
Robert clm 83444
- ☐ New Telephone Number: (208) 228-3721
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): D & P Trust Date 6-14-96
David Bell; T Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
NOV 15 1996

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED

PANCHERI, INC., an Idaho Corporation

, the Grantor,

does hereby grant, bargain, sell and convey unto

DAVID BELL and PEGGY BELL, husband and wife,

, the Grantee,

whose current address is 861 N. 2850 E. ROBERTS, IDAHO 83444

the following described real es ate situated in

BUTTE

County,

State of Idaho, to-wit:

TOWNSHIP 7 NORTH, RANGE 29 EAST, BOISE MERIDIAN,
BUTTE COUNTY, IDAHO.SECTION 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;SECTION 30: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Together with a right of access easement over an across
a private road on property of grantor.An also together with 5 inches of decreed water
from the South Creek.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED Oct 27, 1992STATE OF IDAHO, County of Nadison

On this 27th day of October 1992
before me, Gary Pancheri Esq. Not. Pub., a
Notary Public in and for the said State personally
appeared Gary Pancheri

Known to me to be the person(s) whose name(s)
subscribed to the within instrument, and acknowl-
edges to me that executed the same.

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 026336
FILED

NOV 05 1996

MICROFILMED

11:05 A.M.

NOV 15 1996

BUTTE COUNTY RECORDER

Doree Pancheri

XXXI. DECREE INFORMATION

NORTH AMERICAN MORTGAGE COMPANY, A CORPORATION:

FROM SOUTH CREEK: 100 INCHES, MAY 1 1889

POINT OF DIVERSION: NOT SPECIFIED

TO BE USED UPON AND APPURTENANT TO: (PLOTTED)

NW¹ NW⁴ NW⁴ SEC. 29

N² NE⁴ NE⁴

W² NE⁴

SE⁴ NW⁴ SEC. 30

N² N² NE⁴ SW⁴

T. 7N., R. 29E.

... CONTAINING 160 ACRES

A33-00101A

T. 7N., R. 29E.

P.O.D.

A33-00101B

DECIDED PLACE
OF USE

29

30

SOUTH C.K.

SKETCH: NO SCALE



Photo 1. Looking UP CANYON
OF South Creek DRAINAGE.
NOTE OVERGROWTH ON POINT
OF DIVERSION.

CONVEYANCE DITCH HAS MANY
LEAKS AND MUCH OVERGROWTH.



Photo 2. CONVEYANCE DITCH
WHICH FLOWS ROUGHLY THROUGH
THE MIDDLE OF THE UPPER
PART. Looking UP (NORTH-EASTERN)



Photo 3. CONVEYANCE DITCH,
BACK-TO-BACK WITH Photo 2.
Looking DOWN VALLEY.

Photos taken 10 Aug 75
ASR

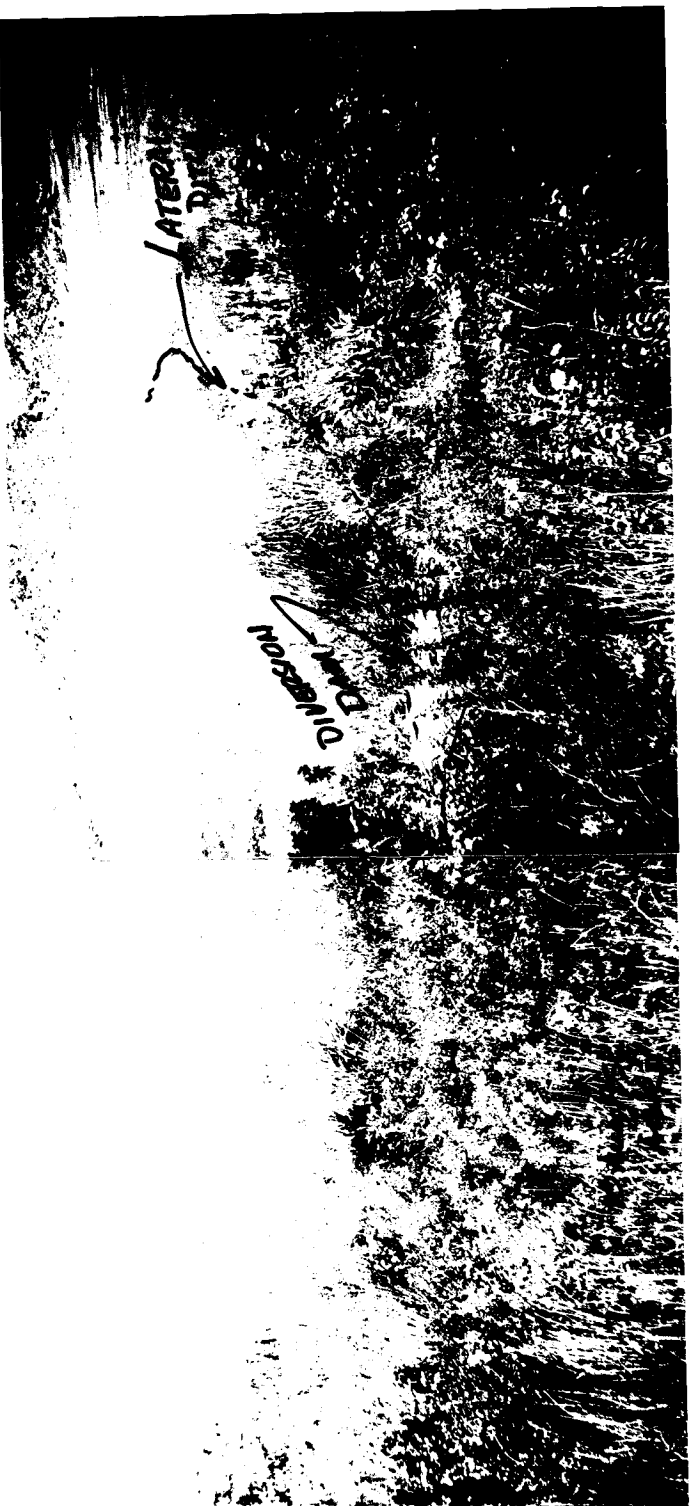


Photo 1A. Looking Down Drainage At Point of Diversion. Note Overgrowth.

Photo 2C. Showing Lateral Ditch with Canvas Dam Diversion, One of Several Ditches Used to Flood Irrigate Westside of the Main Ditch. See ASCS Photograph for Location.



Photo 1B. From Down Stream Looking Up At Point of Diversion. Note Leakage Water from One of Several Leaks.

Photos taken 10 Aug 75
BAR

Hartman

Page 1 of 3
Revised 5/4/92

Description For Quit Claim
From Valley Bank to Pancheri

Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho.

- Section 29: S 1/2
Section 30: S 1/2 of the SE 1/4, and the SE 1/4 of the SW 1/4
Section 31: N 1/2 of the NE 1/4, and the NE 1/4 of the NW 1/4
Section 32: SW 1/4 of the NE 1/4, NW 1/4, NE 1/4 of the SW 1/4, and the SE 1/4

Township 5 North, Range 29 East, Boise Meridian, Butte County, Idaho.

- Section 4: Lot 4, and the SW 1/4 of the NW 1/4
Section 5: Lot 1

Township 7 North, Range 29 East, Boise Meridian, Butte County, Idaho.

- Section 29: NW 1/4 of the NW 1/4 of the NW 1/4 NWNWNW
Section 30: N 1/2 of the NE 1/4 of the NE 1/4, W 1/2 of the E 1/2, SE 1/4 of the NW 1/4, SE 1/4 of the SW 1/4, N 1/2 of the N 1/2 of the NE 1/4 of the SW 1/4, and the S 1/2 of the NE 1/4 of the SW 1/4
Section 31: W 1/2 of the NE 1/4, and the E 1/2 of the NW 1/4 W²NE, E²NW

N²NE, W²E²
SE²NW, SE²SW,
N²N²NE²SW, S²NE²SW.

101
South
Creek

Township 8 North, Range 27 East, Boise Meridian, Butte County, Idaho.

- Section 2: SW 1/4 of the SW 1/4
Section 3: Lots 2, 3, 4, S 1/2 of the N 1/2, NE 1/4 of the SW 1/4, and the SE 1/4
Section 11: SW 1/4, and the W 1/2 of the NW 1/4
Section 10: NE 1/4, E 1/2 of the SE 1/4, and the NW 1/4 of the SE 1/4

Township 9 North, Range 25 East, Boise Meridian, Butte County, Idaho.

- Section 19: SE 1/4
Section 20: SW 1/4
Section 30: NE 1/4, and the NE 1/4 of the SE 1/4

Township 10 North, Range 26 East, Boise Meridian, Butte County, Idaho.

- Section 11: NE 1/4 of the NE 1/4
Section 12: SW 1/4 of the NE 1/4, W 1/2, and the N 1/2 of the SE 1/4

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

- Section 33: E 1/2 of the SE 1/4
Section 34: W 1/2 of the SW 1/4, and the SE 1/4 of the SW 1/4

10/24/96
06/25/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A33-00101

PAGE: 1
GENERAL INFORMATION

LAST: PANCHERI INC
ADDRESS: 17 JERRY PANCHERI PRES
CITY: HOME
PHONE NUMBER: 200-767-3419

FIRST:
STATE: ID ZIP: 83244

OWNER CODE: C

LAST: FOSTER
ADDRESS: HOLCOM MOUNSEL HANN & CRAPO
CITY: PO BOX 50130
PHONE NUMBER: 208-533-0620

FIRST: KANT M
STATE: ID ZIP: 83405

OWNER CODE: A

LAST: NORTH AMERICAN MORTGAGE CO
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 0

OWNER CODE: 0

FIELD EXAM REQUIREMENT?

DATABASE
Y
FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: CUN CONFORMED ATTORNEY MAILING ADDRESS DNO

A33-00101 Split by 6/6 June 1996 AS:

'A' to Pancheri Inc.

'B' to D and P Trust

02/07/01 Revised Per BY TX #5798

CONTACT PERSON: Ar. RUSSELL

DATE OF FIELD EXAM: 8/10/25

MEET WITH: Jeremy Amerson

RELATIONSHIP TO CLAIMANT: OWNER, Amerson, Inc.

DIRECTIONS TO PROPERTY / NOTES:

PHONE NUMBER: () -

TIME: 8:50 A(✓) P()

PHONE NUMBER: () -

APPOINTMENT MADE: Y(✓) N()

Arranged to meet with Jeremy Amerson through his Atty, Kent Foster.
Met Jeremy at his home 10 Aug 95. E. Carlson and A. RUSSELL DISCUSSED
THIS CLAIM AND SEVERAL OTHERS WITH JEREMY, THEN VISITED ALL AREAS
DISCUSSED.

A. AT CLAIM: # A33-00101A PRIORITY DATE: 05-01-1889 STAGE: D

B. WR RECORD: # 33-00101 PRIORITY DATE: 05-01-1889 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* 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?

* 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?

NOTES: P.L.G. Section XXXI, Bureau Co. Survey Co., vs R.G. Mays, et al.

RECOMMENDED PRIORITY DATE:

05-01-1889

REVIEWED BY

DATE 27 Nov 97

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT TWP. RGE. SEC. 1/4 1/4 1/4 LOT FLAG POD DIVERSION NAME DIVERSION NUMBER

A33-00101A 07N 23E 39 NW NW
A33-00101B 10W 27E 5 SE SE

ROUTE - South Creek
ROUTE - See Note 1.

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A33-00101R
A33-07087
R PREFIX
R33-00101
R33-07087

MR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SOUTH CREEK

B. MR POINT OF DIVERSION AND SOURCE:

3300101 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

POD. UNSPECIFIED BY DISCRETS

SOURCE: SOUTH 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)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

→ Permit for Power - P.O.D. sec 4 (SWNW), Sec. 5 (SENW). P.O.D. 1/4 Sec. 7 SWNW (SWW)
Does not relate to A33-00101 (A/B)

Sinks *

(✓) photos. and CVE of 33-20101

* South Creek is now tributary to Little Lost River.
Flow slows in the Aqueduct - Fan within 1/4 mi of P.O.D.

A. ROOT WATER RIGHT NUMBERS: R33-00101
A33-00101A

A33-00101B

E. POO LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	29E	30	NW	NE		PANCHERI INC	A33-00101A / 1.0	-	-	-	-
			NW	NE		PANCHERI INC	R33-00101 / 8.0	33-00101	/	-	-
07N	29E	30	SW	NE		PANCHERI INC	A33-00101A / 19.0	-	-	-	-
			SW	NE		PANCHERI INC	R33-00101 / 12.0	33-00101	/	-	-
07N	29E	30	SE	NE		PANCHERI INC	A33-00101A / 4.0	-	-	-	-
			SE	NE		US DEPT OF INTERIOR	A33-04016 /	33-04016	/	-	-
			SE	NE		US DEPT OF INTERIOR	A33-10654 /	-	/	-	-
07N	29E	30	NW	SE		PANCHERI INC	A33-00101A / 25.0	-	-	-	-
07N	29E	30	SW	SE		PANCHERI INC	A33-00101A / 22.0	-	-	-	-
07N	29E	31	NW	NE		PANCHERI INC	A33-00101A / 20.0	-	-	-	-
07N	29E	31	SW	NE		PANCHERI INC	A33-00101A / 18.0	-	-	-	-
07N	29E	31	NE	NW		PANCHERI INC	A33-00101A / 4.0	-	-	-	-
07N	29E	31	SE	NW		PANCHERI INC	A33-00101A / 10.0	-	-	-	-

SEE Pg. 6 AND 6A. OF
ORIGINAL CUR.

ADDITIONAL POU FOUND

TOTAL ACRES A33-00101A 123.00

POU COUNTY: BUTTE

SEE Pg. 6 AND 6A OF
DRAWING CUE.

SEE GRS Land
Layout for Ac/Pou
123.00

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y(✓) N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

See 33-00101B

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO. SOURCE PURPOSES NAME DIV. RATE RATE/ACRE DIV. VOL. VOL./ACRE

A33-00101A SOUTH CREEK STOCKWATER US DEPT OF INTERIOR PANCHERI INC 1.900 0.015

SOUTH CREEK WILDLIFE US DEPT OF INTERIOR PANCHERI INC 1.040 0.020

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

CLAIM NO. PURPOSES NAME MONTH/DAY RATE VOLUME

A33-04016 STOCKWATER US DEPT OF INTERIOR FROM 10-01 TO 01-31 0.040 CES

A33-04016 WILDLIFE US DEPT OF INTERIOR FROM 01-01 TO 12-31 0.010 CES

A33-10654 STOCKWATER US DEPT OF INTERIOR FROM 10-01 TO 01-31 0.040 CES

A33-10654 WILDLIFE US DEPT OF INTERIOR FROM 01-01 TO 12-31 0.010 CES

A33-10654 STOCKWATER US DEPT OF INTERIOR FROM 10-01 TO 01-31 0.040 CES

A33-10654 WILDLIFE US DEPT OF INTERIOR FROM 01-01 TO 12-31 0.010 CES

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU 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 POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(✓)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(✓) N()

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

Y(✓) N()

17 AUG 95

CHECK DOCUMENTS USED TO VERIFY 2007 () CATHEDRAL QUAD, TOUR NO. () TOPHAT QUAD, TOUR NO. ()
(X) MAP, TOUR NO. W34 SW/56 (X) ACES PHOTO () OTHER

NOTES: ① CLAIMED ACREAGE DOES NOT CONFORM TO THE DECEASED POOL. DECEASED STATES "CONTAINING 160 ACRES. NO DISCREPANCY IS MADE TO LANDS ACTUALLY IRRIGATED."
② CLAIMANT INDICATES 141 AC., SOME OF WHICH ARE FAR REMOVED FROM THE DECEASED POOL AND ARE UNIRRIGABLE AND ARE NOT IRRIGATED.

③ NO TRANSFERS OF RECORD.

④ NOTES OF 10 AUG 95 MEETING: A. EUBANK, G. CAULSON AND J. PANJOWSKI

MR. PANJOWSKI MADE THE STATEMENT THAT "THE ONLY 'IRRIGATION' THAT IS DONE IN SEC. 31 IS FOR SUGAR (FROM THE LINN RESEARCH STATION) DURING THE WINTER MONTHS OF OCT., NOV & DEC. WATER IS CONVEYED TO THIS AREA BY A PIPELINE."

⑤ BY ACES PHOTO THERE IS SOME QUESTION AS TO THE BOUNDARY CORRESPONDENCE OF PROPERTY OWNERSHIP WHEN COMPARED WITH THE BLM LAND STATUS MAP (1:100,000) 1988. THIS, HOWEVER, DOES NOT AFFECT THIS RECOMMENDATION.

RECOMMENDATIONS:

TOTAL ACRES: $520 - 30(B) = 490$ N/A ()

REVIEWED BY: ASB/whm

DATE: 27 Nov 99

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
A33-00101A IRRIGATION	FROM 04-01 TO 11-01	1.900 CFS	
	TOTAL DIVERSION RATE/VOLUME	1.900 CFS	

B. WR. RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00101 IRRIGATION	FROM TO	2.000 CFS	
	TOTAL DIVERSION RATE/VOLUME	2.000 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()

NOTES:

11/24/99 BLM will object to this recommendation. See BLM letter to
J. Panchard with instructions to TX off Pinnacles. Angdon
split this wk - to DATE, no instruction on how this split
is to be made.



AJ CLAIM TOTAL DIVERSION RATE: 1.900 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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(✓)

E. MEASUREMENT METHOD FLOW MEASUREMENT

ONLY APPROPRIATE
SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

13. IRRIGATION RATE
ACRES 24.2 x 0.02 CFS/ACRE = 0.98 CFS
(Taken from pgs reviewed)

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 x DIVERSION VOL. AE/A FOR AREA =

TOTAL DIVERSION VOLUME AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AE/A

ACRES x CONSUMPTIVE VOL. AE/A FOR AREA =

TOTAL CONSUMPTIVE USE AE/A

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

15. CALCULATIONS

CLAIMED 141" AC @ 2.0 (4 DIVERSIONS)
RECOMMEND 49" AC @ 0.98 CFS = A
3" AC @ 0.10 CFS = B
52" AC 1.08

NOTES:

NR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM	REC. DIV TO	REC. DIV RATE CFS	DATABASE EXAMINER	DATABASE EXAMINER	REC. DIV VOL. AC/A	REC. CINS. USE	DATABASE EXAMINER
IRRIGATION ✓	04-01	02	11-01	1.000	0.0			
TOTAL FOR THIS RIGHT				1.000	0.0			

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: *Asst. Attorney* DATE: *27 Nov 97*

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

Rp5 w/ 101B

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON _____
 ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
 ()
 ()
 ()

NEEDS REVIEW ()
 ()
 ()
 ()

Purchase acquired property in 1989

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00101

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER
0.98

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A33-00101	A33-00101A	1.900	A33-00101	<i>0.98</i>	33-00101	2.000
	A33-00101B	0.100		1.000		
TOTAL CFS		2.000		1.040		2.000

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD EXAMINER
Y() N()

NOTES:

Right 13 split as:

33-00101A = recommended 125 ac @ .02/ac = 1.9 ac

33-00101B = recommended 32 ac @ .03 = 0.10 ac

Right 13 claimed in full as it is to be recommended 125 ac, 1.9 ac = 0.015 ac.

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE:

27 Nov 91

NAME OF FIELD EXAMINER:

Allen B. Roberts

TITLE:

SA

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
ON FILE?

(X) ORTHOPHOTOQUAD

DATE OF PHOTO

TOWN ID NO.

W2-3d

Y() N()

(X) TOPOGRAPHIC

DATE FIELD CHECKED

TOWN ID NO.

W2-3d

Y() N()

(X) NAPP

DATE OF PHOTO

TOWN ID NO.

W2-3d

Y() N()

(X) ASCS AERIAL PHOTO

DATE OF PHOTO

TOWN ID NO.

W2-3d

Y() N()

() ASCS COLOR SLIDE

DATE OF PHOTO

TOWN ID NO.

W2-3d

Y() N()

() BLM OR USES AERIAL PHOTO

DATE OF PHOTO

TOWN ID NO.

W2-3d

Y() N()

() TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

TOWN ID NO.

W2-3d

Y() N()

() SCS SOIL SURVEY MAP

DATE ISSUED

TOWN ID NO.

W2-3d

Y() N()

() SUBDIVISION PLAT MAP

DATE OF MAP

TOWN ID NO.

W2-3d

Y() N()

(X) OTHER BLM Large Area Map

DATE

TOWN ID NO.

W2-3d

Y() N()

(X) OTHER BLM Letter of Suit/Tr

DATE

TOWN ID NO.

W2-3d

Y() N()

() OTHER

DATE

TOWN ID NO.

W2-3d

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM

DATE OF FIELD EXAM

TOWN ID NO.

W2-3d

Y() N()

() WATER RIGHT LICENSE

DATE LICENSE SIGNED

TOWN ID NO.

W2-3d

Y() N()

() IWR APPROVED TRANSFER

DATE TRANSFER APPROVED

TOWN ID NO.

W2-3d

Y() N()

() SYSTEM DESCRIPTION

DATE DRAWN

TOWN ID NO.

W2-3d

Y() N()

(X) PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

TOWN ID NO.

W2-3d

Y() N()

() SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

TOWN ID NO.

W2-3d

Y() N()

() HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

TOWN ID NO.

W2-3d

Y() N()

() CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

TOWN ID NO.

W2-3d

Y() N()

() FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

TOWN ID NO.

W2-3d

Y() N()

() OTHER DEEDS EXCEPT

DATE 4 March 1987

TOWN ID NO.

W2-3d

Y() N()

() OTHER POU Comparison Rpt.

DATE 8/30/95

TOWN ID NO.

W2-3d

Y() N()

From Rgs. 16 & 17 Little Lost Deeds

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:23:06
06/25/96

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER: A33-00101A

WP ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	CLAIMANT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y		FIELD EXAM 10 Aug 95 A. R. BARNETT B. C. APLIN	Y				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV: AROUND CES/VOLUME	Y			Y				
CONSUMPTION USE	-			Y				
PURPOSES OF USE				N				
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

10:26:46
06/28/96
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A02-00101A

OWNER CODE: C RANCHERY INC
NAME & ADDRESS: 1000 CFS
PRIORITY DATE: 05/01/1989
WATER USE: IRRIGATION
USE VECTOR (FROM TO): 04-01 11-01
DIVERSION RATE: 1.00 CFS
DIVERSION VOLUME: 1.00 CFS

Water Source: SOUTH CREEK
Point(s) of Diversion: ~~TRIBUTARY TO: RIVER~~ **Sinks**
Tributary to: ~~TRIBUTARY TO: RIVER~~ **Sinks**
TOTAL DIVERSIONS: 1.00 CFS
Stage: OPENED

Butte County
Butte County

Place of Use		Legal Description for: IRRIGATION		NU		SM		SUM	
T	R	W	W	W	W	W	W	W	W
07N 29E 30	01	19	04	10	10	10	10	10	10
07N 29E 31	01	19	04	10	10	10	10	10	10
		TOTAL ACRES		71.0		52.0		123.0	

POU County: BUTTE

Non-Irrigation Uses: NONE

Other Rights: NONE

NO DECREASED LANDS IN SEC. 31
NO TRANSFERS OF RECORD

Remarks: GUN CONFORMED ATTORNEY MAILING ADDRESS DMS

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

Misc: Water District Number: 30 Field Inspection Flag: Presumption Flag:

RIGHT SPLIT AS: (Per 9/6 6/11/96)
33-0001A, 49 ac (recommended) 0.98 ds
33-0001B, 3 ac (recommended) 0.10 ds

* DEPT. ALLOWS 0.03/ac ON ACRES
* SEC.



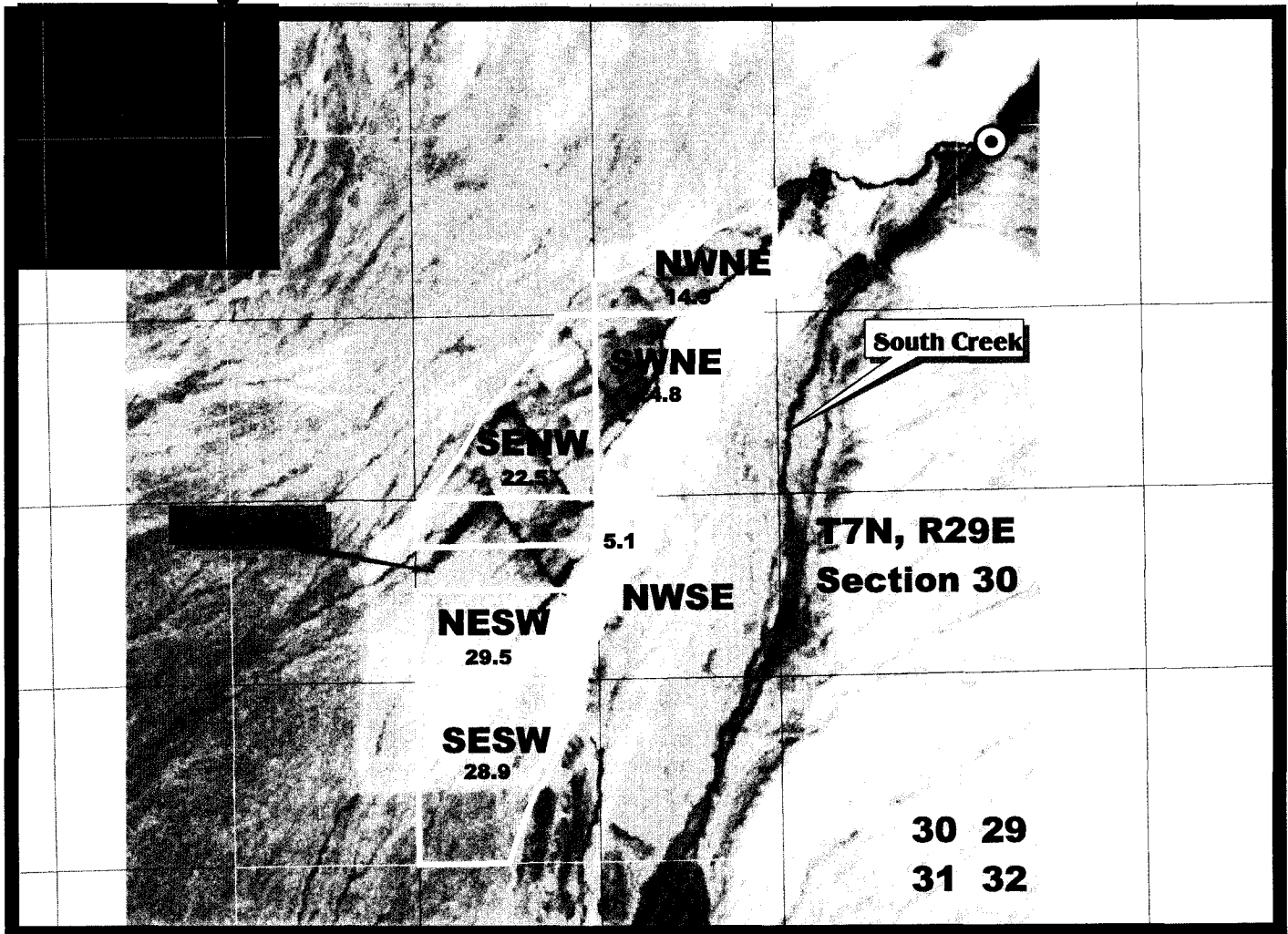
STATE OF IDAHO

Department of Water Resources

Eastern Region

Pancheri, Inc.

Water Right: 33-00101A



750 0 750 1500 2250 3000 3750 4500 5250 6000 Feet

125.7 irrigated acres

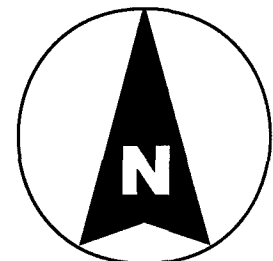
POU per Tx #5798

Inters2.shp

7n29e.shp

P7n29e.shp

GCDBT07N28E.shp



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2001

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 33-00101A

2002 JUN 14 PM 4:06

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: SOUTH CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 1.90 CFS
440.00 AFY

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION: T07N R29E S29 NWNWNW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.90 CFS 440.00 AFY

PLACE OF USE:	Irrigation	Within Butte County
	T07N R29E S30	SWNE 24.8
		SENE 22.5
		SESW 28.9
		NWSE 5.1
	125.7 Acres Total	

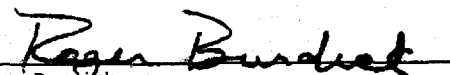
THE USE OF WATER WITHIN T07N R29E S30, NESW DOES NOT INCLUDE
FEDERAL LAND.

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

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

RULE 54(b) CERTIFICATE

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


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUN 14 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 33-00101A

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 33-00101A was mailed
on June 14, 2002, with sufficient first-class postage prepaid
to the following:

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

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

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

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/14/02

RECEIVED

JUN 11

Department of Water Resources

2002 JUN 14 PM 4:06

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 33-00101A

On April 19, 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 33-00101A is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED June 14, 2002

Roger Burdick

ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

02/07/2001

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

RIGHT NUMBER: 33-101A RECOMMENDED PER TX #5798

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

SOURCE: SOUTH CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 1.9 CFS
440 AFY

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION: T07N R29E S29 NWNWNW Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	1.90 CFS 440.00 AFY

PLACE OF USE:

<u>IRRIGATION Within BUTTE County</u>			
T07N R29E S30	NWNE	14.9	T07N R29E S30 SWNE 24.8
T07N R29E S30	SENE	22.5	T07N R29E S30 NESW 29.5
T07N R29E S30	SESE	28.9	T07N R29E S30 NWSE 5.1

125.7 ACRES TOTAL

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 NO. 33-00101B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE

THE ACRES WHICH ARE NO LONGER AUTHORIZED FOR IRRIGATION
UNDER RIGHT 33-00101A ARE SPECIFICALLY DESCRIBED AS FOLLOWS:
10 ACRES OF FEDERAL PUBLIC LAND IN THE S1/2N1/2NESW, SECTION
30, T7N, R29E.



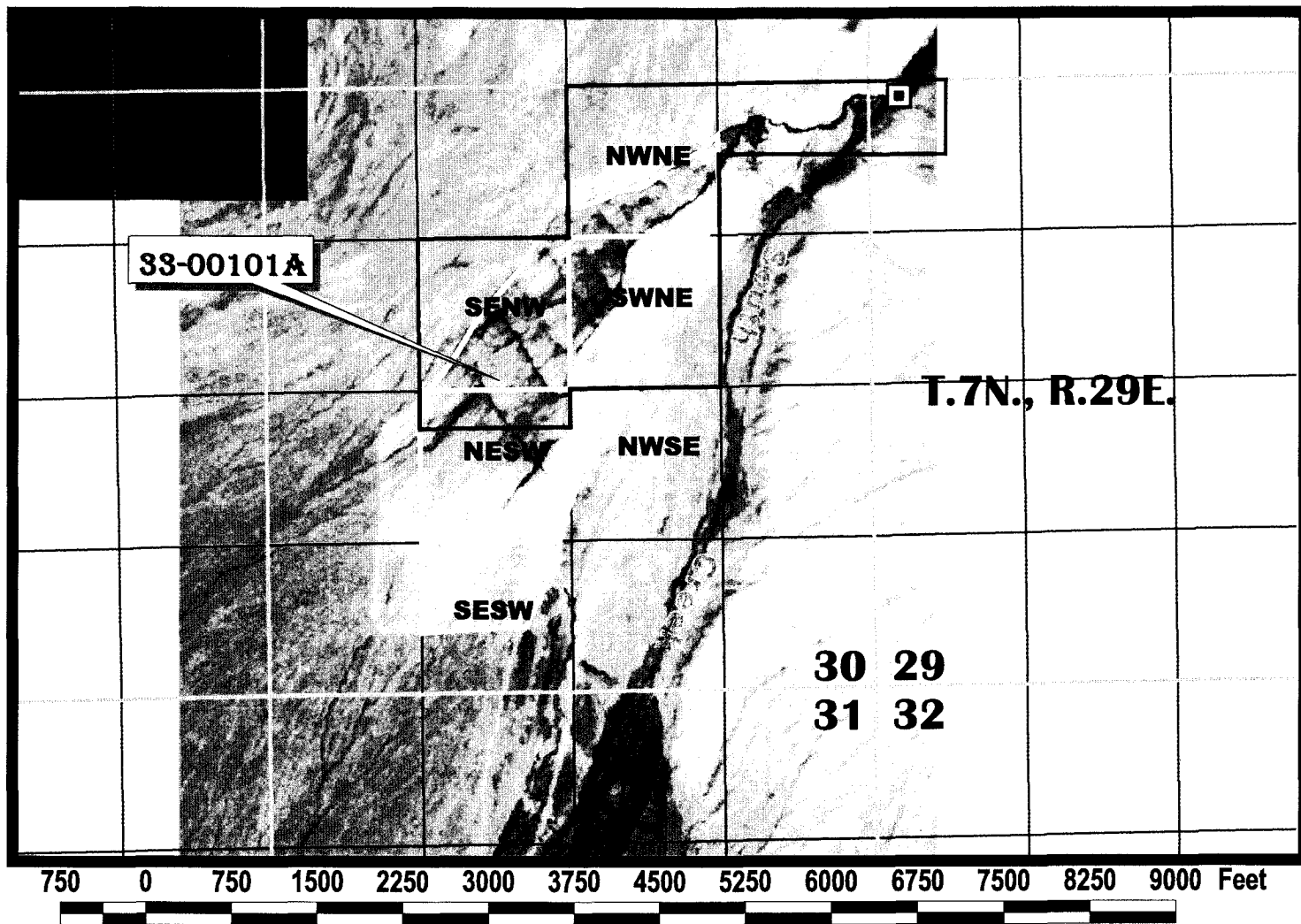
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Pancheri, Inc.

Water Right(s): 33-00101A



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



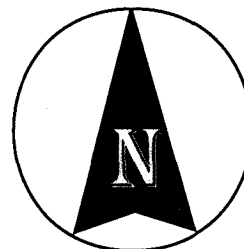
Section Line



Quarter-section line

Place(s) of Use: T.7N., R.29E.
(parts of) Sec. 30 W2NE,
SENE, E2SW, NWSE

Point(s) of Diversion: T.7N., R.29E.
Sec. 29 NWNWNW



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

Water Right Number - 33-00101A Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***
FOSTER

KENT W

1 - HOLDEN KIDWELL HAHN & CRAPO
2 - PO BOX 50130
3 -
City- IDAHO FALLS State- ID Zip- 83405
Phone - 208-523-0620

*** C - CURRENT OWNER ***
PANCHERI INC

1 - C/O JERRY PANCHERI PRES
2 - HC 65 BOX 2104
3 -
City- HOWE State- ID Zip- 83244
Phone - 208-767-3419

*** O - ORIGINAL OWNER ***
NORTH AMERICAN MORTGAGE CO

State- ID Zip- 0

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1889 15 EASTERN D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07N 29E 29 NW NW NW (23) BUTTE

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

01 - IRRIGATION 04/01 11/01 1,900

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1,900 0.0

+ - - - - Place of Use Description County

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	29E	30	NW NE	14.9	14.9	01	IRRIGATION	(23) BUTTE
07N	29E	30	SW NE	24.8	24.8	01	IRRIGATION	(23) BUTTE
07N	29E	30	SE NW	22.5	22.5	01	IRRIGATION	(23) BUTTE
07N	29E	30	NE SW	39.5	39.5	01	IRRIGATION	(23) BUTTE
07N	29E	30	SE SW	18.9	18.9	01	IRRIGATION	(23) BUTTE
07N	29E	30	NW SE	5.1	5.1	01	IRRIGATION	(23) BUTTE

Total Acres: 125.7

Water right number - 33-00101A

Prefix Translation: WATER RIGHT

+ - - Diversion Means - HEADGATE IN STREAM TO DIVERSION DITCHES. FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -

EXP RIGHT NO. 33-00101B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - -

A3300101

+ - - - - - Conditions of Approval - - - - -

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

+ - - - - Decree Plaintiff - - - +
BLAINE COUNTY INVESTMENT CO.

+ - - - - Decree Defendant - - - +
ROBERT G. MAYES, ET. AL.

+ - - Decree Date - - +
03/04/1927

+ - - - - - Comments - - - - -

Date: 11/24/1999 User Id: ARUBERRY Subject: COPIED FROM REMARKS

CONFORMED ATTORNEY MAILING ADDRESS DMS

Date: 02/14/2000 User Id: SSHERMAN Subject: DATA ENTRY

ADDED CLAIMANT DELIVERY ADDRESS TO DATA ENTRY STANDARDS.

PAID UNDER RECEIPT NO. E011683.

+ - - Audit Fields - - +

02/14/00 SSHERMAN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/15/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 33
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

DO NOT
FILM

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: A33-00101A
Date Received: 1/15/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PANCHERI INC
Address: % JERRY PANCHERI PRES
HOWE ID

208-767-3419

83244

2. Date of Priority: MAY 1, 1889

3. Source: SOUTH CREEK

Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	29E	29		NW	NW		BUTTE
10N	27E	5		SE	NW		BUTTE

5. Description of diverting works:

HEADGATE IN STREAM TO DIVERSION DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.900		

7. Total Quantity Appropriated is:

1.900 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	29E	30	NW	NE		IRR	1.0
			SW	NE		IRR	19.0
			SE	NE		IRR	4.0

MICROFILMED



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

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	29E	30	NW	SE		IRR	25.0
			SW	SE		IRR	22.0
						Section Acres	71.0
		31	NW	NE		IRR	20.0
			SW	NE		IRR	18.0
			NE	NW		IRR	4.0
			SE	NW		IRR	10.0
						Section Acres	52.0
						Total Acres	123.0

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:
NONE

14. Remarks:
CONFORMED ATTORNEY MAILING ADDRESS DMS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/ 4/1927

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

ROBERT G. MAYES, ET. AL.
vs Decree Defendant-