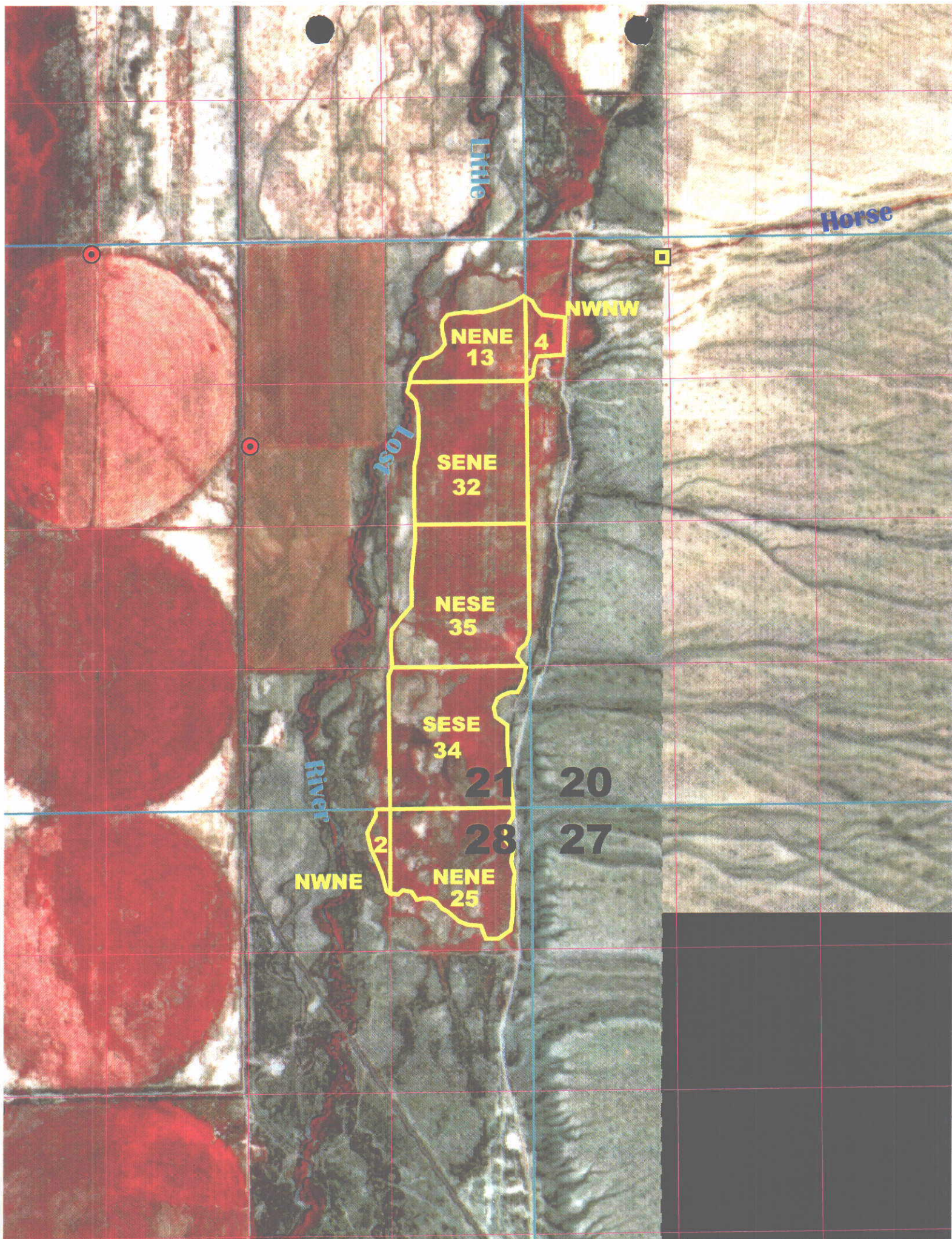




RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
09N	27E	16	SE	SE	NE	---	Butler	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: LITTLE LOST RIVER

TRIB: SINKS

REVIEWED BY: *AB Ruben*

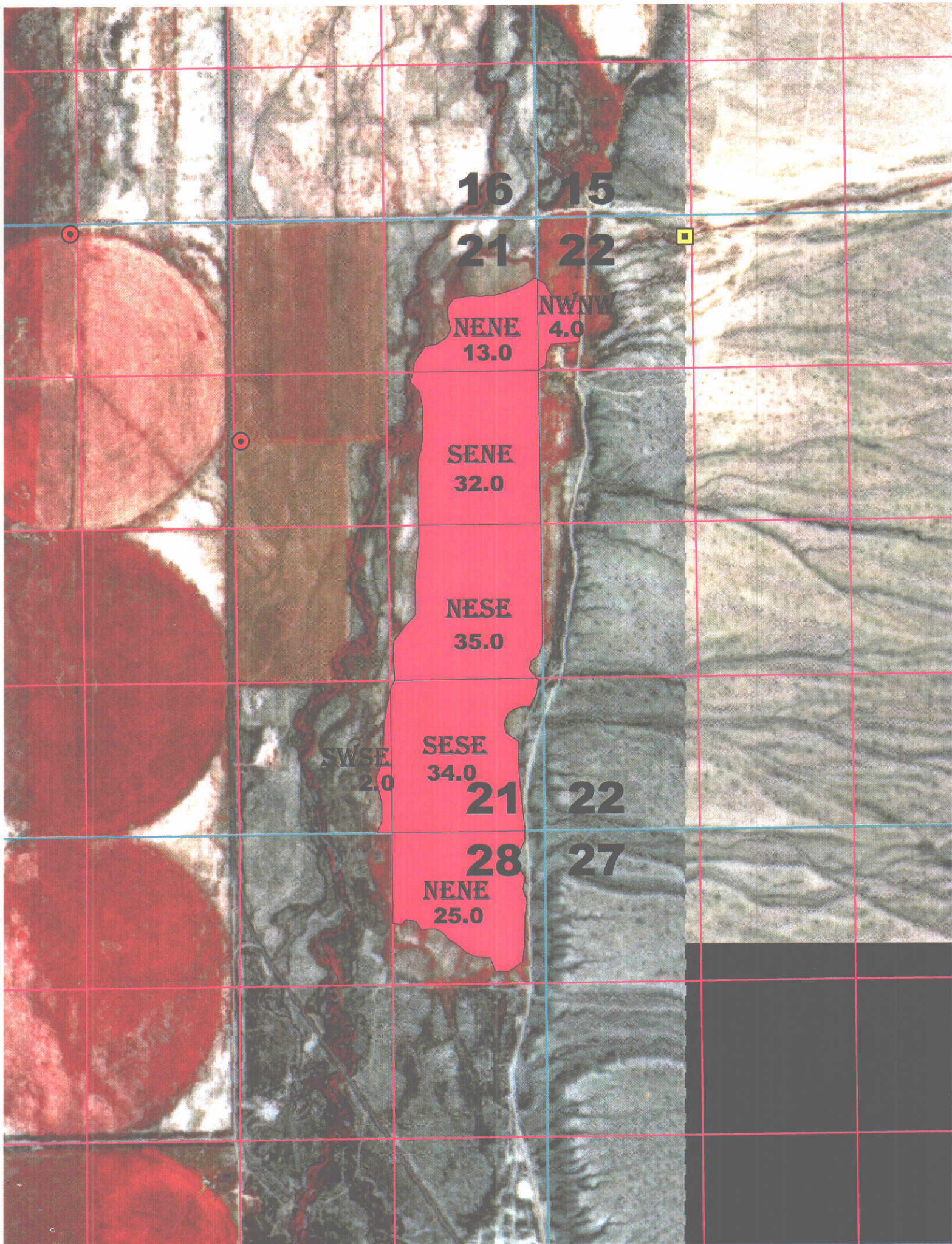
DATE: *21 Feb 95*

SYSTEM DESCRIPTION:

SEE ASCS Photo (copy) for
CONDUITANCE SYSTEM.



Photo Taken: 25 Aug 94, ABRC



RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 to 11-01	DATABASE 1.800 EXAMINER	DATABASE EXAMINER	DATABASE 362.5 EXAMINER
TOTAL FOR THIS RIGHT		1.800		362.5
REVIEWED BY: <i>[Signature]</i>		DATE: 8/18/99		

XXXVI

MATTHEW BRABEC and NEVA MAY BRABEC, husband and wife,
GILBERT A. BRABEC AND MARIE BRABEC, husband and wife:

From Little Lost River: 90 inches, May 1, 1896; 33 0108
From Saw Mill Creek: 50 inches, May 25, 1891; 33 0109
From Horse Creek: 20 inches, May 1, 1896; 33 0100

Points of diversion:

From Little Lost River:

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

From Horse Creek: S²SE, E²NE, NESE, Sec. 21

to be used upon and appurtenant to: NW¹NE, Sec. 22
N²NE Sec. 28

The East half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter of Section 21; the Northwest Quarter of the Northwest Quarter of Section 22; the South half of the Southeast Quarter of Section 21; and the North half of the Northeast Quarter of Section 28, Township 9 North, Range 27 East of the Boise Meridian.

EXERT FROM LITTLE LOST RIVER DECREE Pg. 18



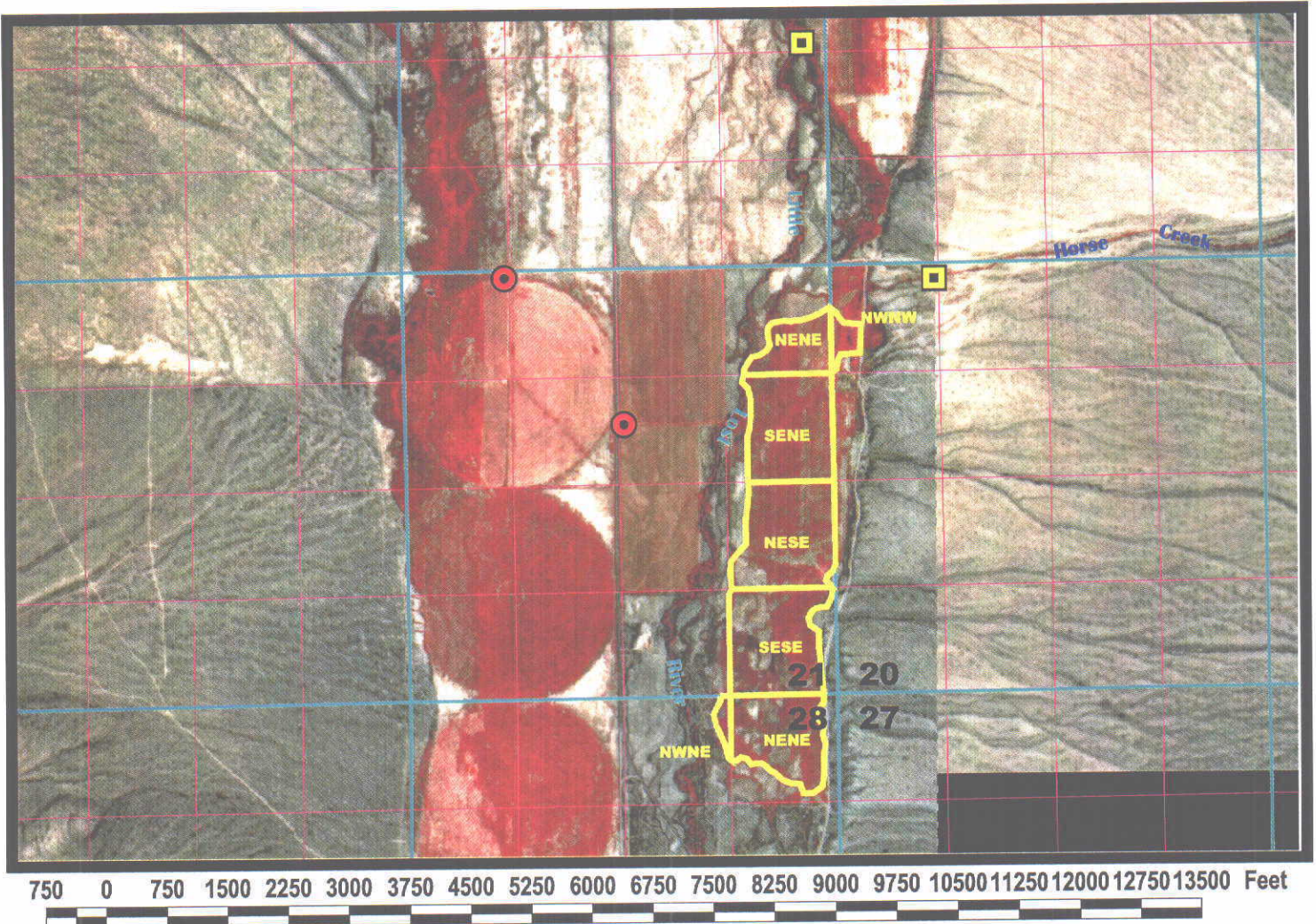
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Jack Oar

Water Right(s): 33-00108, 33-00110



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. 21 (parts of) E2E2,

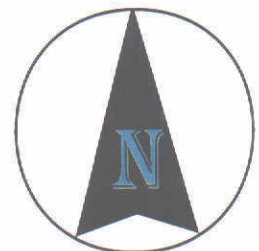
Sec. 22 (part of) NWNW,

Sec. 28 (parts of) N2NE

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

Sec. 16 SESENE (Little Lost River)

Sec. 21 NENENW (Horse Creek)



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



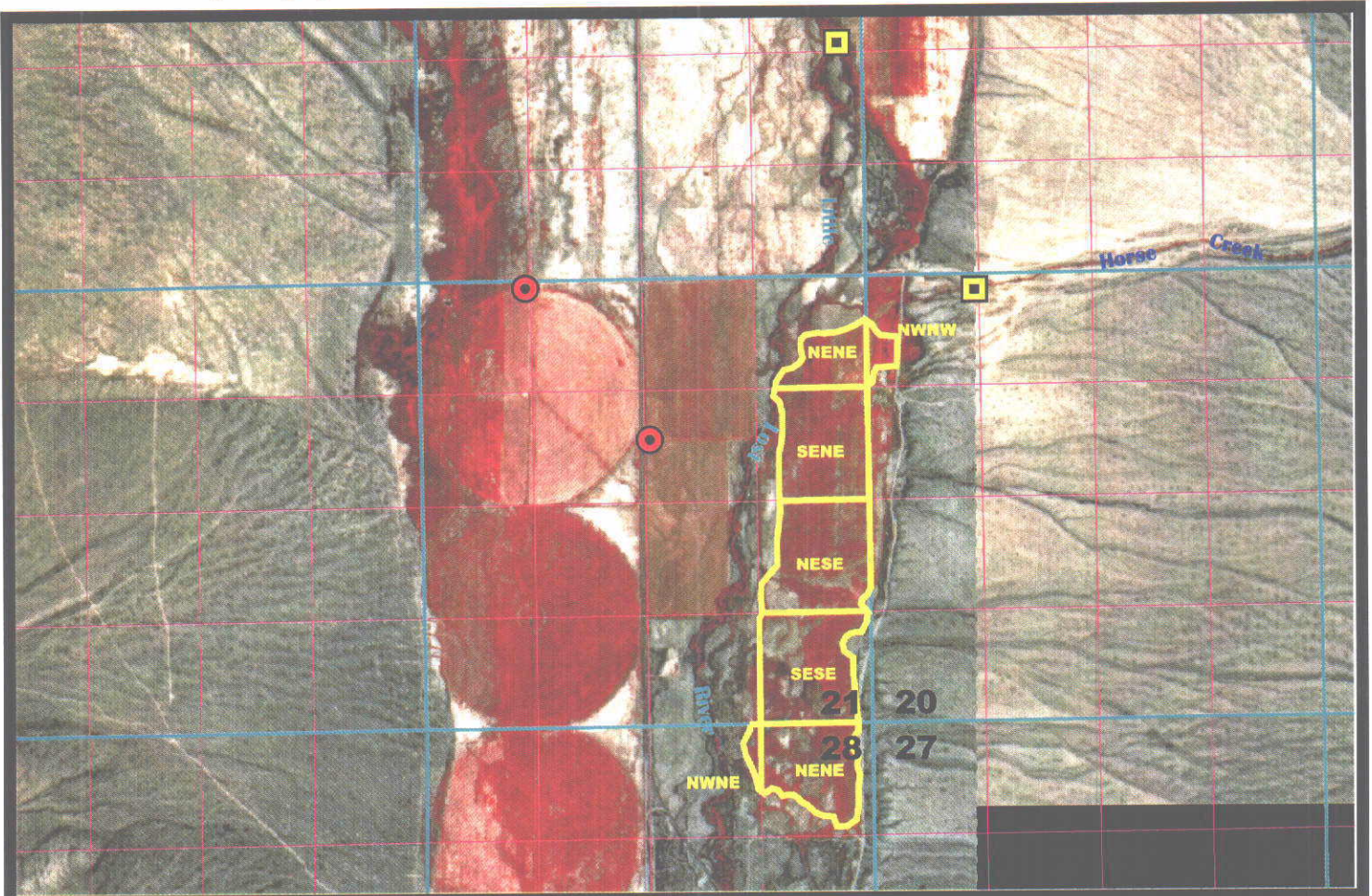
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Jack Oar

Water Right(s): 33-00108, 33-00110



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 12000 12750 13500 Feet

LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

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

Sec. 21 (parts of) E2E2,

Sec. 22 (part of) NWNW,

Sec. 28 (parts of) N2NE

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

Sec. 16 SESENE (Little Lost River)

Sec. 21 NENENW (Horse Creek)



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

NOV 18 1992.

This is a topographic map of a mountainous region, likely in the Sierra Nevada. The map features a grid with coordinates (e.g., 113° 35', 7° 30' N) and elevation contours. Key features include a river labeled 'Horse', a road labeled 'BADGER', and a creek labeled 'CREEK'. Two points are marked 'POINT OF DIVERSION'. A green shaded area is visible on the left side of the map.

A33-00108
JACK OAR
CONNIE OAR
HC 65 BOX 3165
HOWE

R

ID 83244



A3300108

LLR
1896

18c6

IF CHECK STATUS OF OAKBA - WITHDRAWN 2 FEB 93

November 23, 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: 33-00108

JACK OAR
CONNIE OAR
HC 65 BOX 3165
HOWE ID 83244

Daytime Telephone Number:

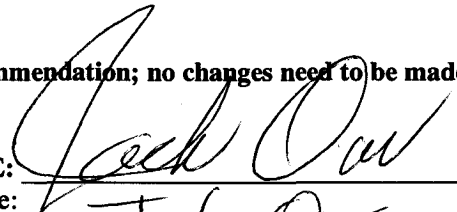
Evening Telephone Number:

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

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

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

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

DATE: 12/08/99 SIGNATURE: 

Please print your name: Jack Oar

6 October 1999

IN THE MATTER OF WATER RIGHTS
33-10069, 33-10070, 33-00110, 33-00108
SRBA Claims by Jack & Connie Oar

Original Warranty Deed, 8 Sept. 1989, Pancheri, Inc. to Oar's list water rights conveyed as:

Together with, all water...as follows:

Horse Creek 05-01-1996, twenty (20) inches [33-00110] and 05-01-1996, ninety (90) inches [33-00108] and one-half (1/2) of the Brabec Place Water [33-00090E, 33-00092D, 33-00109], ditch and ditch rights... appurtenant thereto.

PART I

- 1.) 33-10069, SRBA claim, J. Oar, was for 0.02 cfs on 145 acres, priority date of April 01, 1887. Remarks read "This notice is for 1/2 portion of decreed right 33-00090E" (refer to split history of 33-00090, attached) ...33-00090C was further split by Tx#450, 26 April 1929, to parts D and E. This dissertation is concerned only with part E. Part E then became 0.4 cfs.
- 2.) At claims taking evidence supported "a claim to this portion of an historic (decreed) water right." However, it was unclear just what that split portion would be. So, 33-10069 was assigned, pending SRBA investigation.
- 3.) Coincidentally, Pancheri, Inc. filed a claim to decreed right 33-00090 in its entirety as 0.80 cfs and claimed use on the 4699 acre land list. According to recorded (split history) documents, Pancheri Inc. was only entitled to 1/2 of part E (0.40 cfs) or 0.20 cfs. Thus, rendering 33-00090(E) grossly over-claimed. Ultimately, the Pancheri Inc. claim to 33-00090 would be disallowed because by declaring the many points of diversion and the 4699 acre land list they asserted an accomplished change (pursuant to §42-1425 I.C.), in both the point(s) of diversion and place(s) of use after to Nov. 19, 1987, (SRBA commencement order). The claim was taken 01-15-1990. However, there have been no transfers or applications. Further, the District 33 Watermaster, David Andreason, states, and delivery records support, that since his tenure and prior to, all of the Barbec Place water has been delivered at the Barbec Place Little Lost River diversion. But, Pancheri Inc. still held title to this other one-half (1/2) interest of 33-00090E (0.20 cfs).
- 4.) Then by Change of Ownership and Quitclaim Deed, 2 March 1994, Jack & Connie Oar (Grantor) conveyed unto Pancheri, Inc. (Grantee) by instrument number 027926, Butte County Recorder "In part to correct or clarify the language...in that certain Warranty Deed (Pancheri Inc. to Oars), 8 Sept. 1989, instrument no 22616, Butte County, Idaho...
...does by these presents promise, release and forever Quitclaim...all right, title...in all the following described water rights...
33-00090 [33-00090E]...04/01/1887
33-00092 [33-00092D]...05/25-1891
33-00109 [33-00109]... 05/25/1891
This effectively conveyed all portions of 33-00090E, 00092D and 00109 to Pancheri, Inc. But, still no transfer application. Thus, leaving the "rights" on Mr. Oar's property.

- 5.) Consequently, the disposition of the right will be:

33-10069, ownership changed to Pancheri, Inc. and amended to show the 145 acres on Mr. Oar's property. Then, 33-10069 will be renumbered to 33-00090E to accurately reflect the split history of decreed right 33-00090. Ultimately, the SRBA recommendation will show ownership by Pancheri, Inc. of all (0.40 cfs) of 33-00090E, but appurtenant to Jack Oar's property.

PART II

- 1.) 33-10070, SRBA claim, J. Oar, is a combined claim of the following right portions:

33-00092D 0.25 cfs...05/25/1891

33-00109 0.50 cfs...05/25/1891

33-10070 0.75 cfs 05/25/1891

NOTE: the remaining 0.25 cfs of 33-00092D was claimed as 33-00092 by Pancheri, Inc. And Pancheri, Inc. had claimed all (1.0 cfs) of the original decreed amount of 33-00109, claimed as 33-00109A. Both to the 4699 acre land list. 33-00109A was now over-claimed by 0.50 cfs. 33-00092 was renumbered to 33-00092F and disallowed since it appeared that Pancheri, Inc. was claiming and accomplished Tx (under §42-1425 I.C.) after 1987.

- 2.) Refer to Part I ¶ 4, Change of Ownership and Quitclaim Deed of 2 March 1994.
- 3.) The course of action for 33-10070, 33-00109A, and 33-00092 will be as follows:

A.) 33-10070, Change of Ownership to Pancheri, Inc. and amended to include the portion of the above referenced rights as:

33-00092 [33-00092F] 0.25 cfs

33-00109A [33-00109] 1.00 cfs (actually only) 0.50 cfs

33-10070 [33-00092D @ 0.25; 33-00109 @ 0.50] 0.75 cfs

Total 1.50 cfs

Acreage amended to 145 acres on Jack Oar's property since no Tx or application has come forward.

- B.) 33-00092 [renumbered to 33-00092F] Pancheri Inc, DISALLOWED.
33-00109A [renumbered to 33-00109] Pancheri Inc., DISALLOWED.
33-10070 [P15 of portions described above] to total 1.50 cfs, amended with Change of Ownership to 145 acres, to Pancheri, Inc., but on Oar's property.

PART III

Since 33-10070 and 33-00090E have been amended with Change of Ownership to show Pancheri, Inc. as the legal owner of the right(s), but, (ultimately) decreed to the Oar property (145 acres): Jerry Pancheri, President Pancheri Inc, with Kent Foster, Attorney, have been advised by IDWR to wait until the Partial Decree is issued before attempting to file a transfer moving the Pancheri, Inc. rights from the Oar property.

PART IV

Until a transfer is IDWR approved, the rights by **what ever definition**, and listed below, will continue to be delivered to the Oar property subject to priority cuts as dictated by the District 33 Watermaster.

Sources	Priority	Amount	Water Right Number
Horse Creek	05/01/1896	20 inches	33-00110
Little Lost River	05/01/1896	90 inches	33-00108
Saw Mill Creek	05/25/1891	50 inches	33-00109
Little Lost River	04/01/1887	20 inches	33-00090(E)
Saw Mill Creek	05/25/1891	25 inches	33-00092(D)

PART V

A33-00110 and A33-00108 are SRBA claims by Jack and Connie Oar, and are uncontested by deed of ownership. Both will be recommended to the SRBA Court in their full amount, to 145 acres, to Jack and Connie Oar. Ref: discussion, Part VI.

PART VI

A complication occurs at SW SE (2.0 acre irrigation by GIS) Sec. 21, T.9N., R. 27E.

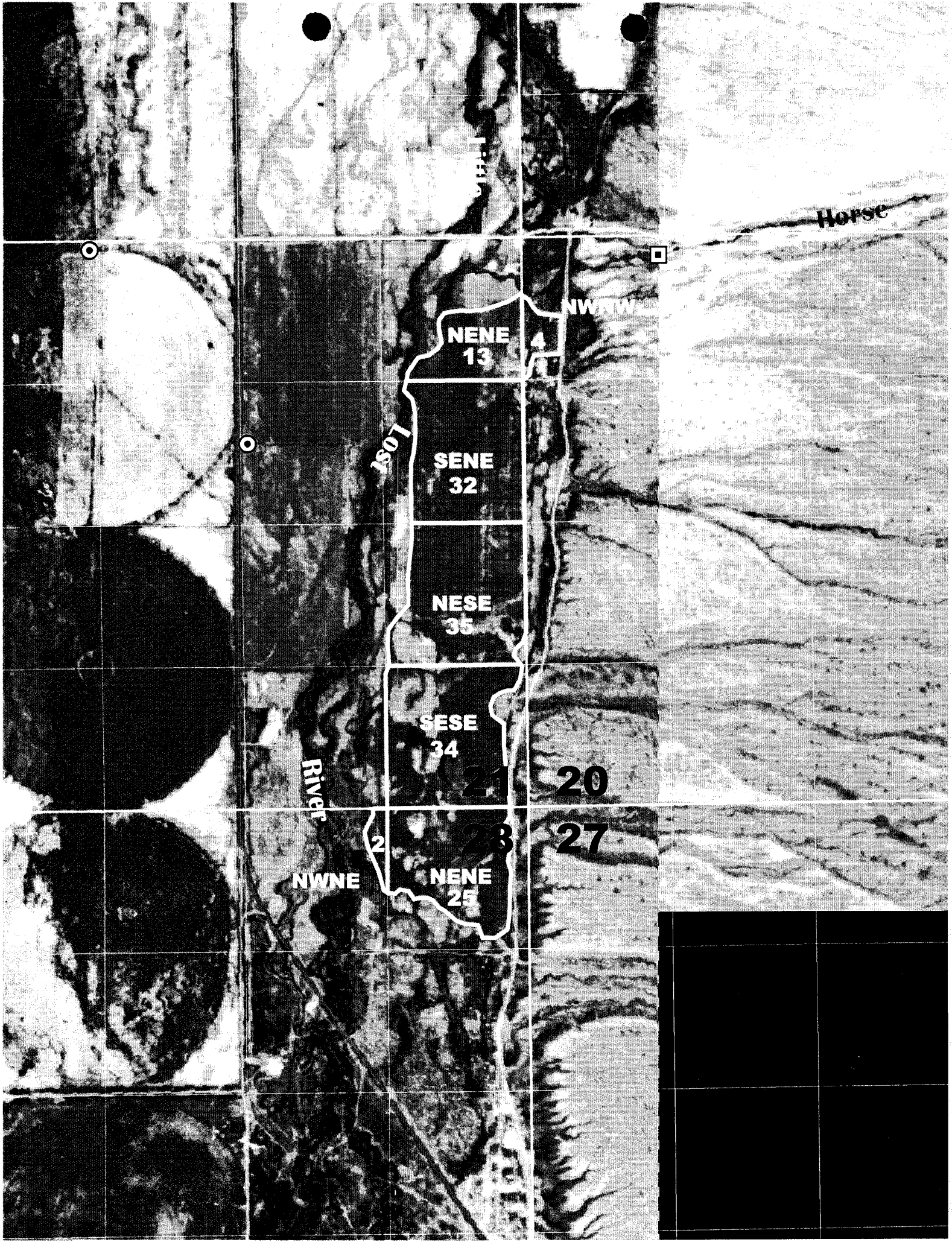
This parcel was claimed by Oar on all of Oar's SRBA claims. The original Warranty Deed, 8 Sept. 1989, does not include this parcel in the sale. Apparently, Oar's thought this parcel was included in the sale since other parcels (Ref. Warranty Deed, 8 Sept. 1989, Exhibit "A".) in Section 21 (T.9N., R.27E.) Read: "Section 21 E1/2E1/2... together with all of that portion of the SE1/4NE1/4 and the NW1/4SE1/4 of Section21, [T9N., R.27E.] E.B.M, lying East of the East bank of the Little Lost River.

However, irrigated acres (2.0 acres +) are noted by 1987 NAPP photograph in NWNE Section 28 (lying East of Little Lost River). The Warranty Deed defines N1/2 NE1/4 Section 28... as conveyed by sale.

Pancheri, Inc., through Kent Foster, Attorney, filed a Change of Ownership of claims A33-10069 and A33-10070 which include the questioned 2.0 acres in SWSE Section 21, and thus, will be recommended as such. Oar's claims, 33-00108 and 33-00110 will be recommended to include 2.0 acres in the NWNE Section 28 and delete 2.0 acres in SWSE Section 21, based on an accomplished transfer pursuant to §42-1425 I.C. No amendment will be made pursuant to discussion with Harold Jones, IDWR, 6 October 1999.

Al Ruberry

Cc: Files
Jerry Pancheri, President, Pancheri Inc.
Kent Foster, Attorney for Pancheri Inc.
David Andreason, District 33 Watermaster
Jack Oar, Original claimant & property owner



Old (D) Number -

+ - - - - - Address

1 - HC 65 BOX 3165

City- HOWE

1 - HC 65 BOX 3165

City- HOWE

- Stage - - - +

- - Tributary SINKS

Diversion Name

(23) BUTTE

----- Water Use ----- Diversion Rate

04/01	11/01	1.800
-------	-------	-------

362.5

Description	Amount
...	...

(23) BUTTE
(23) BUTTE
(23) BUTTE
(23) BUTTE
(23) BUTTE
(23) BUTTE
(23) BUTTE

Total Acres: 145.0

+ - - Diversion Means - HEADGATE IN RIVER TO DITCHES. FLOOD IRRIGATION

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - PORITON OF 33-00090E, 33-00092D, 33-00109, 00108

Water right number - A33-00108

Prefix Translation: ADJUDICATION CLAIM

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

GEN 33-00108A PANCHERI CLAIMED 1.8 CFS--WITHDRAWN, LETTER DATED 2 FEB 1993, K. FOSTER (A).

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

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

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

+ - - - - - Audit Fields - 12/26/89 VERNER 02/20/90 DCARLSON 02/21/95 ARUBERRY 03/30/95 POST-STD

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

+ - - - - - - - - - - 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 | - | Old Judicial District | - |
| Claim Received Date | - 01/16/1990 | Last Amended Date | - | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - | Water District | - 33 |
| Licensed Date | - 00/00/0000 | Receipt Number | - E011733 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - D |
| | | Name Connector | - OR | Notice of Error Flag | - |

90

$$\begin{array}{r}
 1.8 - \cancel{1.45} \cancel{1.20} \quad 119 \\
 .4 \quad \quad \quad 27 \quad 26 \\
 \hline
 2.2 \quad \quad \quad 147 \quad 145
 \end{array}$$

$$\begin{array}{r}
 80 \\
 40 \\
 80 \\
 \hline
 200 \\
 40 \\
 80 \\
 \hline
 320
 \end{array}$$

145 2.9

.0038

0.015

.0124

2.2

$$\begin{array}{r}
 108 - 1.8 \\
 108 - 1.0 \\
 110 - 0.4 \\
 920 - 0.5 \\
 908 - 0.4 \\
 \hline
 4.1
 \end{array}$$

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

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

WEST ONE BANK
P.O. BOX 50130
330 SHOUP AVENUE
IDAHO FALLS, IDAHO 83405

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

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

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

BOISE OFFICE

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

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

May 4, 1994

Mr. Tim Luke
IDAHO DEPARTMENT OF
WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAR 20 1996

Dep. of Water Resources
Eastern District Office

Dear Tim:

As I indicated in our telephone conversation, we recently concluded the straightening out of the water rights between Oars and Pancheri, Inc. I see that their agreement was that the Oars would have Water Rights Nos. A33-00108 and A33-00110. We have recorded the Quitclaim Deeds between the two and copies are enclosed with this letter. Also enclosed are copies of the assignment of the Claims and the Notice that has been filed with the Department of Water Resources.

I also see that these SRBA claims were withdrawn on behalf of Pancheri, Inc. last year and so I suppose the Oars will want to reinstate them somehow and probably even revise them.

1969 I had a discussion with Jerry Pancheri after our telephone conversation and asked him about the wells used to inject water at the Hartmann diversion. Jerry's understanding is that the very same wells have been used to inject water ever since the construction of the Hartmann diversion and that the closer wells you mentioned were not used for that purpose. At least the present wells have been used for the entire 25 years that Mr. Pancheri has been familiar with the matter. He would love to have a ditch from the injection wells directly to the land served but it would be necessary for that ditch to cross ditches and land owned by others. Since he has no right-of-way across such lands or ditches he supposes he will have to keep doing what has been done for the past 25 years.

Also, the reason Mr. Pancheri called me was to discuss the matter of the ditch which David Andreason had apparently told you the Pancheris had constructed across someone else's land. According to Mr. Pancheri, the ditch was an existing ditch and was cleaned. About three or four years ago, the county removed a culvert from the road which permitted water to cross the road and

Mr. Tim Luke
May 4, 1994
Page 2

continue on down this ditch. Mr. Pancheri complained about the matter to the county and no one seemed to know why the culvert had been removed but the county has agreed to replace it this year. The ditch was cleaned in anticipation of using it to convey the water again. As we understand it, the property owner who complained is named Kime and he had called and complained to Jerry Pancheri. Jerry was not able to determine why Kime was upset, just that he was. In any event, Jerry indicated it is not a new ditch at all but a very old one and all that was done was to drive a tractor with a ditcher on it to remove the weeds and debris so water would flow better.

Thank you for your continued assistance.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kent W. Foster", written in a cursive style.

Kent W. Foster

Enclosures

G:\WPDATA\KWF\7548\00LUKE03.LTR:kep

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
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IDAHO FALLS, IDAHO 83405

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BOISE, IDAHO 83702

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TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

May 4, 1994

RECEIVED
MAY 5 1994

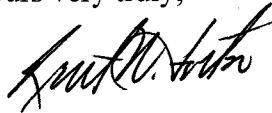
Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF
WATER RESOURCES
900 N. Skyline
Idaho Falls, Idaho 83402-1718

Gentlemen:

We are enclosing with this letter an Assignment of Notice of Claims Nos. A 33-00108 and A 33-00110. These all appear to have been signed by Jerry Pancheri on behalf of Pancheri, Inc., but the Notice Concerning Water Rights for Property does not contain the Oars' signature. Since we do not have direct contact with the Oars, if that signature is required, you may want to obtain that directly from them. Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

Enclosure

G:\WPDATA\KWF\7548\00IDWR02.LTR:kep

Call on
5-19

MICROFILMED
NOV 15 1994

These claims are already in the
name of Oar. These papers were
attached to claims for informational
purposes only.

Greg

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM(S)

Pancheri, Inc., hereby assign to Jack Joseph and Connie Joy Oar,
of H-C 65, Box 3165, Howe, Idaho 83244.
Address

All my right, title, and interest in and to Notice of
Claim No(s). A33-00108 and A33-00110.
to a Water Right Acquired Under State Law.

The following described portion of my right, title, and
interest in and to Notice of Claim No(s). _____
to a Water Right Acquired Under State Law.

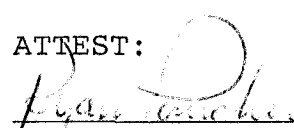
(If assigning a portion, describe that portion of the
claim being assigned by listing the acreage within each
40-acre tract, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or
acre feet for storage)

Made this 21 day of April 1993.
JP

PANCHERI, INC.

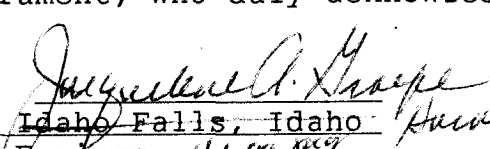
Signature of Claimant(s) 
Jerry Pancheri, President

ATTEST:


Secretary

STATE OF IDAHO)
County of Butte) ss.
Bonneville)

On this 21 day of April 1993, personally appeared
before me the signer of the above instrument, who duly acknowledged
to me that he executed the same.

Notary Public 
Residing at Idaho Falls, Idaho
My Commission Expires 4.6.94

58561/srs

RECORDED
NOV 13 1993

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: September 8, 1989.

LEGAL DESCRIPTION OF PROPERTY: See description on attached
Quitclaim Deed.

[] Served Only by a Public Service Water Supply (domestic
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)

[X] Water Right Number(s): A33-00108 and A33-00110.

[X] Name and Address of Former
Owner/Claimant(s): Pancheri, Inc.
Howe, Idaho 83244

[X] New Owner/Claimant(s): Jack Joseph and Connie Joy Oar

[X] New Mailing Address: H-C 65, Box 3165
Howe, Idaho 83244

[X] New Telephone Number: (208) 767-3225

[X] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that
is now claimed by the new owner:

MICROFILMED
NOV 15 1990

[X] Signature of New
Owner/Claimant(s): _____

Date: _____

[X] Signature of Former
Owner/Claimant(s): Pancheri, Inc. by _____

Date: _____

4-21-93

[] Attach proof of
ownership, describe
proof attached: _____

(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 claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Dated: _____ By: _____

Final Review and Data-Entry

Dated: _____ By: _____

Claim Numbers of Split, if any:

#7548.00
58571/srs

RECORDED
NOV 15 1993

NO. 027927

FILED

APR 29 1994

QUITCLAIM DEED

A.M. 2:14 P.M.
BUTTE COUNTY RECORDER
[Signature]

THIS INDENTURE is made this 21 day of April, 1993, between PANCHERI, INC., the "GRANTOR" and JACK JOSEPH OAR and CONNIE JOY OAR, husband and wife, whose mailing address is H-C 65, Box 3165, Howe, Idaho 83244, the "GRANTEE", in part to correct or clarify the language relating to water rights in that certain Warranty Deed from Pancheri, Inc., to Oars as Grantees, dated September 8, 1989, and recorded as Instrument No. 22616 of the records of Butte County, Idaho, on the 18th day of September, 1989.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the GRANTOR in all the following described water rights in the County of Butte, State of Idaho, to-wit:

RECORDED
NOV 15 1994

| <u>IDWR
ID NO.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>PRIORITY
DATE</u> |
|------------------------|----------------------|-----------------------------------|--------------------------|
| 33-0108 | Little
Lost River | 1.8 cfs
(90 miner's
inches) | 05/01/1896 |
| 33-0110 | Horse Creek | .4 cfs
(20 miner's
inches) | 05/01/1896 |

For use upon and in connection with the irrigation of the following described real property, situate in the County of Butte, State of Idaho:

Township 9 North, Range 27 East of the Boise Meridian

Section 21, E1/2 E1/2 and all of that portion of the SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 lying east of the east bank of the Little Lost River;

Section 22, NW1/4 of the NW1/4;

Section 28, that portion of the N1/2 of the NE1/4 lying east of the Little Lost River.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said premises and the appurtenances unto the GRANTEE, and to GRANTEE's heirs and assigns forever.

RECORDED
NOV 15 1900

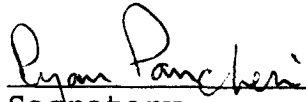
In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

PANCHERI, INC.

By: 
Jerry Pancheri, President

ATTEST:


Secretary

STATE OF IDAHO)
) ss.
County of Butte)

On this 21 day of April, in the year 1993, before me, the undersigned, a notary public in and for said state, personally appeared JERRY PANCHERI, known or identified to me to be the President, of PANCHERI, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



#7548.00
58541/srs

Jacqueline A. Graepel
Notary Public for Idaho
Residing at Home Id
My Commission Expires: 4-6-94

RECORDED
NOV 15 1993

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

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

WEST ONE BANK
 P.O. BOX 50130
 330 SHOUP AVENUE
 IDAHO FALLS, IDAHO 83405

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

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

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

BOISE OFFICE

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

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

May 4, 1994

IDAHO DEPARTMENT OF
 WATER RESOURCES
 900 N. Skyline
 Idaho Falls, Idaho 83402-1718

RECEIVED

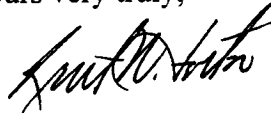
MAR 20 1996

Department of Water Resources
 Eastern District Office

Gentlemen:

We are enclosing with this letter an Assignment of Notice of Claims Nos. A 33-00108 and A 33-00110. These all appear to have been signed by Jerry Pancheri on behalf of Pancheri, Inc., but the Notice Concerning Water Rights for Property does not contain the Oars' signature. Since we do not have direct contact with the Oars, if that signature is required, you may want to obtain that directly from them. Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

Enclosure

COPY

MAR 20 1986

Department of Water Resources
Eastern District Office

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY

(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: September 8, 1989.

LEGAL DESCRIPTION OF PROPERTY: See description on attached
Quitclaim Deed.

[] Served Only by a Public Service Water Supply (domestic
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)

[X] Water Right Number(s): A33-00108 and A33-00110.

[X] Name and Address of Former
Owner/Claimant(s): Pancheri, Inc.
Howe, Idaho 83244

[X] New Owner/Claimant(s): Jack Joseph and Connie Joy Oar

[X] New Mailing Address: H-C 65, Box 3165
Howe, Idaho 83244

[X] New Telephone Number: (208) 767-3225

[X] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that
is now claimed by the new owner:

[X] Signature of New
Owner/Claimant(s):

Date:

[X] Signature of Former
Owner/Claimant(s):

Pancheri, Inc. by

 President

Date:

4-21-93

[] Attach proof of
ownership, describe
proof attached:

(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 claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Dated:

By:

Final Review and Data-Entry

Dated:

By:

Claim Numbers of Split, if any:

#7548.00
58571/srs

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM(S)

Pancheri, Inc., hereby assign to Jack Joseph and Connie Joy Oar,
of H-C 65, Box 3165, Howe, Idaho 83244
Address

All my right, title, and interest in and to Notice of
Claim No(s). A33-00108 and A33-00110.
to a Water Right Acquired Under State Law.

The following described portion of my right, title, and
interest in and to Notice of Claim No(s). _____
to a Water Right Acquired Under State Law.

(If assigning a portion, describe that portion of the
claim being assigned by listing the acreage within each
40-acre tract, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or
acre feet for storage)

Made this 21 day of April 1993.
page 10

PANCHERI, INC.

Signature of Claimant(s) *[Signature]*
Jerry Pancheri, President

ATTEST:

[Signature]
Secretary

STATE OF IDAHO)
County of Butte) ss.
Bonneville)

On this 21 day of April 1993, personally appeared
before me the signer of the above instrument, who duly acknowledged
to me that he executed the same.

Notary Public *[Signature]*
Residing at Idaho Falls, Idaho
My Commission Expires 4.6.99 *page 10*

58561/srs

NO. 027927

FILED

APR 29 1994

QUITCLAIM DEED

A.M. 2:19 P.M.
BUTTE COUNTY RECORDER

THIS INDENTURE is made this 21 day of April, 1993, between PANCHERI, INC., the "GRANTOR" and JACK JOSEPH OAR and CONNIE JOY OAR, husband and wife, whose mailing address is H-C 65, Box 3165, Howe, Idaho 83244, the "GRANTEE", in part to correct or clarify the language relating to water rights in that certain Warranty Deed from Pancheri, Inc., to Oars as Grantees, dated September 8, 1989, and recorded as Instrument No. 22616 of the records of Butte County, Idaho, on the 18th day of September, 1989.

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the GRANTOR in all the following described water rights in the County of Butte, State of Idaho, to-wit:

| <u>IDWR
ID NO.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>PRIORITY
DATE</u> |
|------------------------|----------------------|---------------------------------------|--------------------------|
| 33-0108 | Little
Lost River | 100 1.8 cfs
(90 miner's
inches) | 05/01/1896 |
| 33-0110 | Horse Creek | 0.4 cfs
(20 miner's
inches) | 05/01/1896 |

For use upon and in connection with the irrigation of the following described real property, situate in the County of Butte, State of Idaho:

Township 9 North, Range 27 East of the Boise Meridian

Section 21, E1/2 E1/2 and all of that portion of the SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 lying east of the east bank of the Little Lost River;

E2E2
SW1/4 } E of R.R. Sec. 21
NW1/4 }

Section 22, NW1/4 of the NW1/4;

NW1/4 Sec. 22

Section 28, that portion of the N1/2 of the NE1/4 lying east of the Little Lost River.

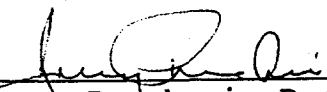
TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said premises and the appurtenances unto the GRANTEE, and to GRANTEE's heirs and assigns forever.

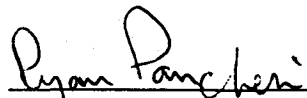
In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

PANCHERI, INC.

By: 
Jerry Pancheri, President

ATTEST:


Secretary

STATE OF IDAHO)
) ss.
County of Butte)

On this 21 day of April, in the year 1993, before me,
the undersigned, a notary public in and for said state,
personally appeared JERRY PANCHERI, known or identified to me
to be the President, of PANCHERI, INC., the corporation that
executed the instrument or the person who executed the
instrument on behalf of said corporation, and acknowledged to
me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.



Jacqueline A. Graepel
Notary Public for Idaho
Residing at Naum Id
My Commission Expires: 4.6.94

#7548.00
58541/srs



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

A33-00108A

RECEIVED

FEB 12 1993

Department of Water Resources

Eastern District Office

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1993

DO NOT FILM

Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83405

RE: Snake River Basin Adjudication (SRBA)
Butte County - Receipt #E011683 - Pancheri, Inc.
Notices of Claim #A33-00002A through A33-00013A,
A33-00031L, A33-00041A, A33-00068A, A33-00083B,
A33-00087A, A33-00108A & A33-00110A

Dear Mr. Foster:

Thank you for your letter advising us of your client's withdrawal of the claims referenced above and the request to receive a refund of the \$950.00 filing fee submitted for these claims.

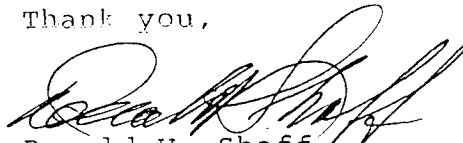
The Department has reviewed your request for refund of these filing fees. Rule 9 of the Adjudication Rules and Regulations states, "Fees shall not be refunded or returned except where the fee was miscalculated at the time the claim was filed or as expressly provided in these rules".

I regret to inform you that due to the correct calculation of filing fees, there is no provision set forth in the rules to refund this fee.

For review and processing of claims for Director's Report(s), Pancheri, Inc. may want to designate you as attorney on any future claims that may be filed or amended. Such notice would apply to all previously filed claims unless otherwise directed.

I appreciate your concern in this matter. If you have any further questions, I would like you to contact me.

Thank you,


Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref:eastern
cc: Pancheri, Inc.

MICROFILMED

APR 15 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: January 5, 1990

Jack and Connie OAr
HC 65 Box 3165
Howe, ID 83244

RECEIVED

JAN 15 1990

RE: Notices of Claim to a Water Right Returned

Department of Water Resources
Eastern District Office

Dear Mr. and Mrs. OAr:

The Idaho Department of Water Resources (IDWR) is returning your check #573 (\$343.00) and Notices of Claim to a Water Right because of insufficient information and/or fees. All items on the notices must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected notices within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each notice.

- Insufficient Fee: The filing fee four each irrigation Notice of Claim is \$50.00, plus a variable fee of \$1.00 per claimed irrigated acre (\$145.00). The total fee for your four notices is \$345.00.

If you have any questions, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

Dear Mr Ernest Carlsen,

we written a new check and enclosed
it.

MICROFILMED

NOV 18 1992

Sincerely, Connie L OAr

REFUND REQUEST

POOR ORIGINAL

TO: S. Frazer to Log In
 FOR: D. Shaff/D. Allen
 FROM: JPK/VEHNER
 SUBJ: Receipt No. 6021683 (Please attach ARQ2 Receipt copy)
 Date: Feb 1, 1993

RE: Payor PAWCHER, AJZ.
 Address 90 Yerr Pawcher, Res.
Route 10, 83244

FED

Claimant if NOT Payor _____
 Refund Amount \$ 930.00 Claim Location (Region/Claimant) _____
 Extension Filed? Y/NO Copy Attached? Y/NO
 Late Fees Paid? Y/NO Late Fee Receipt # _____
 S.O. Verified Ext. by _____ on _____ D.B. Query by _____
 Refund Generated By () Agent (x) Claimant
 Refund Category _____
 Date of Last Correspondence (copy attached) 2/3/93

| Claim No. | Due | Fees Paid | Correct Fee | Rec'd \$ |
|---------------------|-----|-----------|-------------|----------|
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | 201683 |
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | |
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | |
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | |
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | |
| 12-000024-0000A 188 | | \$ 50.00 | \$ 50.00 | |
| Total | | \$ 350.00 | \$ 350.00 | |

Detailed Reason(s) for Refund Attached Y/N _____
 Claimant Filed Above in Error, Some Not Claimed Thereafter

Region AJ Spvr. Approval Denial S.O. AJ Spvr. Approval _____
 Don Shaff Approval Denial 8-09-93 Mld _____ To Fiscal _____
 Data Base Modified? Y/NO A &/or R Records By _____ on _____
 Logged 02-49-93

Region AJ Spvr. Approval _____
 Don Shaff Approval _____

Support the request for refund by detail - still in dispute has past
 deadline 8-28-93 including the past due date. In

19 claims x \$30/claim = \$570, more variable fees

10/29/92

RECEIVED

FEB - 3 1993

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNHAM
WILLIAM D. FALLER
STEPHEN E. MARTIN
CHARLES A. HONER
GARY L. MEALE
DAYLE A. BORENBOIL, P.A.
DONALD L. HAYMS
MARIE T. TYLER
JOHN G. BRANCH, P.A.
ROBERT M. FOLLETT
KIMBERLY TAYLOR
JAMES K. BLAYENS

WEST ONE BANK
P.O. BOX 50170
330 SHOP AVENUE
IDAHO FALLS, IDAHO 83408

TELEPHONE (208) 525-0888
TELEFAX (208) 525-9616

KEY FINANCIAL CENTER
700 W. IDAHO SUITE 810
BOISE, IDAHO 83708

TELEPHONE (208) 543-0888
TELEFAX (208) 543-0078

BOISE OFFICE of Water Resources

WILLIAM D. FALLER, P.A. Office
RANDALL E. REED
RONALD D. CHRISTIAN
FREDERICK J. HAHN III

ARTHUR W. HOLDEN
(1877-1907)
ROBERT E. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1928-1980)
WILLIAM E. HOLDEN
(1904-1988)

February 2, 1993

Idaho Department of Water Resources
ATTENTION: Eric Verner
900 North Skyline
Idaho Falls, Idaho 83402-1718

RE: SRBA Claims of Pancheri, Inc.

Dear Eric:

As we have recently discussed, we need to do some updating of the SRBA claims of Pancheri, Inc., previously filed. At the time they were filed in 1989, we just did not have much of the information, especially regarding transfers that we now have. The watermaster's records did not contain it, and the filings were primarily based on Mr. Pancheri's understanding he received from the watermaster of how things were being done and the old decree.

We hope these withdrawals will help make matters simpler and more accurate. We anticipate there will still be some adjustments to be made in several of the rights as additional information is gathered during the formal processing. The main problem has been the lack of documents and other information that would normally have been available from the watermaster.

We apparently filed some 71 claims in 1989 for Pancheri, Inc.: 1 for hydropower (33-7087); 11 for groundwater for irrigation (33-2056, 33-2065, 33-2066, 33-2093, 33-2108, 33-2113, 33-2117, 33-2126, 33-7015, 33-7027 and 33-10109); 9 for domestic and stockwater wells (33-10110 through 10118) and the balance of 50 for surface water for irrigation.

Of the 50 claims for surface water for irrigation, most of the claims were based on the decree. We have finally been able to review copies of several approved transfers which make it appear that 12 of these claims were previously transferred to lands served by the Blaine County Canal Company, so Pancheri,

Idaho Department of Water Resources
February 2, 1993
Page 2

Inc.'s rights thereunder would be based on stock ownership rather than ownership of the rights themselves. In addition, it appears that some of the old transfers changed the place of use of some of the rights to lands not owned by Pancheri, Inc.

We wish to withdraw the following claims filed on behalf of Pancheri, Inc., and request a refund of the flat filing fee of \$50.00 for each:

33-0002
33-0003
33-0004
33-0005
33-0006
33-0007
33-0008
33-0009
33-0010
33-0011
33-0012
33-0013
33-0031
33-0041
33-0068
33-0083
33-0087
33-0108
33-0110

It may also be possible that some of the other transfers affect portions of the amounts claimed under other rights. (For example, 33-0032, 33-0033, 33-0034, 33-0035, 33-0036, 33-0039, 33-0084 and 33-0085). However, the analysis is not yet complete and we will probably need to review with you whether other claims to these rights have also been filed.

In any event, we can start with these withdrawals and hope that it will be of assistance, particularly to Tim Luke as he prepares the abstract or delivery list for 1993.

Yours very truly,
Kent M. Foster
Kent M. Foster

#7548.00/srs

32x10

See file 33-0090 for Appl, Letters, etc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 404.

33-0092

THIS IS TO CERTIFY That Harold R. Williams and Fern Williams, husband and wife, and John C. Williams and Ethel Williams, husband and wife, have rights to the use of the waters of Little Lost River for irrigation and domestic purposes, and that such rights have been confirmed by decree as follows:

Decree of the District Court of the Sixth Judicial District of the State of Idaho in and for the County of Butte, in the case of Blaine County Investment Company, plaintiff, vs. Robert G. Mays, et al, defendants, wherein water rights were awarded in part as follows:

From Little Lost River, 40 miner's inches, 00090
priority, April 1, 1897;
From Little Lost River, 70 miner's inches, 00091
priority, June 1, 1891;
From Sawmill Creek, 50 miner's inches, 00092
priority, May 25, 1891;
From Dry Creek, 160 miner's inches, 00095
priority, April 15, 1891;

320"
said decree having been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 80 to 102.

That the waters above described were decreed to the following described lands, to-wit:

E²SE⁴ Sec. 9
S²SW⁴ Sec. 10
N²NW⁴, SW⁴NW⁴, NW⁴SW⁴
Sec. 15
T. 9N., R. 27E.

East half of the Southeast quarter of Section nine; South half of the Southwest quarter of Section ten; North Half of the Northwest quarter and Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter of Section Fifteen; all in Township Nine North of Range Twenty-seven East, Boise Meridian.

That upon the application of Harold R. Williams, et al, as named above, for transfer of a four-fifths undivided interest of the above mentioned water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted to a certain extent, the right to the use of 320 miner's inches--the same being the four-fifths undivided interest of the water rights enumerated in the foregoing--of the waters of Little Lost River upon the lands above described, is hereby abandoned and the lands to be irrigated under such water rights and to which the said rights hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are as shown in the following, limited at any given time to amounts actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

$(\frac{4}{5} \times 320) = 256$

From Little Lost River, 28 miner's inches,
priority, April 1, 1887;
From Little Lost River, 49 miner's inches,
priority, June 1, 1891;
From Sawmill Creek, 40 miner's inches,
priority May 25, 1891;
From Dry Creek, 128 miner's inches,
priority, April 15, 1891

North Half of Section 11, Township 5 North, Range 29
East, B.M.

That the above described water has heretofore been conveyed through a canal diverting from Little Lost River in the Northwest Quarter of Section 4, Township 9 North, Range 27 East, B.M., but will hereafter, by authority of this certificate, be diverted in the Northwest Quarter of Section 32, Township 5 North, Range 29 East, B.M.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 27th day of June, 1927.

Commissioner of Reclamation.

See file 33-0090 for Appl, Letters, etc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 423.

This is to certify that Harold R. Williams and John C. Williams, of Howe, County of Butte, and State of Idaho, have rights to the use of the waters of Little Lost River, Sawmill Creek and Dry Creek, for irrigation and domestic purposes, and that said rights have been confirmed by decree of the district court of the sixth judicial district of the State of Idaho, in and for the County of Butte in the case of Blaine County Investment Company, Plaintiff, vs. Robert C. Mays, et al, defendants, Ralph W. Adair, District Judge, wherein water rights were awarded as follows:

From Little Lost River, 40 miner's inches, 90
priority, April 1, 1887,
From Little Lost River, 70 miner's inches, 91
priority, June 1, 1891,
From Sawmill Creek, 50 miner's inches, 92
priority, May 25, 1891,
From Dry Creek, 180 miner's inches, 93
priority, April 15, 1891;

said decree having been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 86 to 102;

That the waters above described were decreed to the following described lands, to-wit:

East Half of the Southeast Quarter of Section nine; South Half of the Southwest Quarter of Section ten; North Half of the Northwest Quarter and Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section Fifteen; all in Township Nine North of Range Twenty-seven East, Boise Meridian.

That upon the application of Harold R. Williams, and John C. Williams for transfer of water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.23 second feet, or 64 miner's inches, of the waters of Little Lost River, Sawmill Creek and Dry Creek, upon the lands above described, is hereby abandoned and the lands to be irrigated under such water rights and to which the said rights hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are as shown in the following, limited at any given time to amounts actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

From Little Lost River, 8 miner's inches, 90
priority, April 1, 1887;
From Little Lost River, 14 miner's inches, 91
priority, June 1, 1891;
From Sawmill Creek, 10 miner's inches, 92
priority, May 25, 1891;
From Dry Creek, 32 miner's inches, 93
priority, April 15, 1891;

North Half (NW $\frac{1}{2}$) of Section 11, Township 5 N., Range 29 E., B. M.

That the water rights to be transferred have heretofore been diverted in the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Twp. 9 N., R. 27 E., B. M., but will hereafter, by virtue of this certificate, be diverted in the Northwest Quarter (NW $\frac{1}{4}$) of Section 32, Twp. 5 N., R. 29 E., B. M.;

That the right to the use of the water aforesaid and hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 2nd day of May, 1928.

Commissioner of Reclamation.

P.O.D.
NW $\frac{1}{4}$ Sec. 4
T. 9 N. R. 27 E.

D.P.O.D.
NW $\frac{1}{4}$ Sec. 32
T. 5 N. R. 29 E.

ERROR
T.G.N.
HARTMAN DIVER
ON LITTLE Lost.

See file 33-0090 for Letters, Appl., etc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 420

THIS IS TO CERTIFY That Harold R. Williams, of Howe, County of Butte, State of Idaho, has rights to the use of the waters of Little Lost River and Sawmill Creek, for irrigation and domestic purposes, and that said rights have been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of Maine County Investment Company, plaintiff, vs. Robert G. Mays, et al, defendants, Ralph W. Adair, District Judge, wherein water rights were awarded as follows:

From Little Lost River, 40 inches, -90
priority, April 1, 1887;
From Sawmill Creek, 25 inches, -92
priority, May 25, 1891;

said decree having been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 86 to 102;

That the waters above described were decreed to the following described lands, to-wit:

NE¹/₄ Sec. 9; SE¹/₄ Sec. 10; NW¹/₄ Sec. 11 and NE¹/₄ Sec. 15, in Twp. 9 North, Range 27 E., S.M.

That said waters were later transferred, by Certificate of Transferred Rights Nos. 404 and 423, of the Commissioner of Reclamation of Idaho, to the following described lands:

N¹/₂ of Section 11, Twp. 8 North, Range 29 E., S.M.

That, upon the application of the said Harold R. Williams for a transfer of water rights, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 45 inches, or 0.9 second feet, of the waters of Little Lost River and Sawmill Creek upon the lands above described is hereby abandoned and the lands to be irrigated under such water rights and to which the right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are described as follows, said waters to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

From Little Lost River, 20 inches, 90C
priority, April 1, 1887;
From Sawmill Creek, 25 inches, -920
priority, May 25, 1891;

NE¹/₄ Sec. 9, NW¹/₄ Sec. 10 and SE¹/₄ Sec. 21; NW¹/₄ Sec. 22; NE¹/₄ Sec. 23;
all in Twp. 9 North, Range 27 E., S.M.

That the water rights to be transferred have heretofore been diverted in the NW¹/₄ of Sec. 32, Twp. 8 N., R. 29 E., S.M., but will hereafter, by virtue of this certificate be diverted in the NW¹/₄ of Sec. 16, Twp. 9 N., R. 27 E., S.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 26th day of April, 1929.

Commissioner of Reclamation.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 1
GENERAL INFORMATION

952
CLAIM NUMBER: A53-30108

LAST: OAR
ADDRESS: HC 65 BOX 5165
CITY: HOME
PHONE NUMBER: 208-000-0000

FIRST: JACK

STATE: ID ZIP: 83244

OWNER CODE: C

LAST: OAR
ADDRESS: HC 65 BOX 5165
CITY: HOME
PHONE NUMBER: 208-000-0000

FIRST: CONNIE

STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE
Y

CLAIM REMARKS: 33-00108A PANCHERI CLAIMED L.B CFS -- WITHDRAWN

SEE LETTER K. FOSTER (A) REQUESTING WITHDRAWAL
AND RETURN, DATED 2 FEB. 1993. D. SHAFER ADVISED
RETURN - LETTER DATED 10 FEB. 1993.

CONTACT PERSON: AL ROBERT PHONE NUMBER: () - - -
DATE OF FIELD EXAM: 08/25/94 APPOINTMENT MADE: Y() N() A() P()
ACCOMPANIED BY: Jack Carr PHONE NUMBER: () - - -
RELATIONS4IP TO CLAIMANT: OWNER
DIRECTIONS TO PROPERTY / NOTES:

Met Mr. Carr. Visited P.O.'s and P.O.'s of AL. Also advised that

A. AJ CLAIM: # A33-00108 PRIORITY DATE: 05-01-1896 STAGE: D

B. WR RECORD: # 33-00108 PRIORITY DATE: 05-01-1896 STAGE: D

C. FIELD EXAM REQUIRED?

FIELD EXAMINER
DATABASE N

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

NOTES: PRIORITY CLAIMED MATCHES DATABASE SEE REPORT ON Pg. 11.

RECOMMENDED PRIORITY DATE: AS CLAIMED
05-01-1896

REVIEWED BY 103 Ruling DATE 21 FEB 95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| | | | | | | | | |
|-----------|------|------|------|-----|-----|-----|-----|-------|
| RIGHT | IMP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
| A33-00108 | OWN | 27E | 16 | SE | SE | NE | | ROUTE |

OTHER AJ CLAIMS WITH SAME AJ POD
1 PREFIX R PREFIX
A33-10069 NONE
A33-10070

HR RECORDS IN SAME 40 ACRE TRACT
33-00100
33-02013
33-07033

SOURCE: LITTLE LOST RIVER TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

3300108 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LITTLE LOST RIVER TRIB: SINKS

C. FIELD EXAM REQUIRED?

| | | | |
|----------------------------------|---|----------------|-----|
| DUE TO POD DISCREPANCY? (Y/N) | Y | FIELD EXAMINER | --- |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N | | --- |

NOTES: No change to POD as claimed

A. ROOT WATER RIGHT NUMBERS: A33-00109

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|---------------------|-----------------|----------------|-----------------|----------------|------------------|
| 09N | 27E | 21 | NE | NE | | OAR, JACK | A33-00108 /10.0 | 33-00108 / | 35.0 | | |
| | | | NE | NE | | OAR, JACK | A33-00110 /10.0 | 33-00110 / | | | |
| | | | NE | NE | | OAR, CONNIE | A33-10069 /10.0 | - | | | |
| | | | NE | NE | | OAR, JACK | A33-10070 /10.0 | - | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | 33-00090E / | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | NE | NE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| 09N | 27E | 21 | SE | NE | | OAR, JACK | A33-00108 /25.0 | 33-00108 / | 39.0 | | |
| | | | SE | NE | | OAR, JACK | A33-00110 /25.0 | 33-00110 / | | | |
| | | | SE | NE | | OAR, CONNIE | A33-10069 /25.0 | - | | | |
| | | | SE | NE | | OAR, JACK | A33-10070 /25.0 | - | | | |
| | | | SE | NE | | WILLIAMS, HAROLD R. | | 33-00090E / | | | |
| | | | SE | NE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | SE | NE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| 09N | 27E | 21 | NE | SE | | OAR, JACK | A33-00108 /34.0 | 33-00108 / | 36.0 | | |
| | | | NE | SE | | OAR, JACK | A33-00110 /34.0 | 33-00110 / | | | |
| | | | NE | SE | | OAR, CONNIE | A33-10069 /34.0 | - | | | |
| | | | NE | SE | | OAR, JACK | A33-10070 /34.0 | - | | | |
| | | | NE | SE | | WILLIAMS, HAROLD R. | | 33-00090E / | | | |
| | | | NE | SE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| 09N | 27E | 21 | SW | SE | | OAR, JACK | A33-00108 / 2.0 | 33-00108 / | 5.0 | | |
| | | | SW | SE | | ANDREASON, JAMES O. | A33-00100 / 5.0 | - | | | |
| | | | SW | SE | | ANDREASON, JAMES O. | A33-07055 / 5.0 | 33-07055 / 5.0 | | | |
| | | | SW | SE | | OAR, JACK | A33-00110 / 2.0 | 33-00110 / | | | |
| | | | SW | SE | | OAR, CONNIE | A33-10069 / 2.0 | - | | | |
| | | | SW | SE | | OAR, JACK | A33-10070 / 2.0 | - | | | |
| | | | SW | SE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | SW | SE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| | | | SW | SE | | ALDOUS, JULIA V. | | 33-02013 /40.0 | | | |
| 09N | 27E | 21 | SE | SE | | OAR, JACK | A33-00108 /36.0 | 33-00108 / | 38.0 | | |
| | | | SE | SE | | OAR, JACK | A33-00110 /36.0 | 33-00110 / | | | |
| | | | SE | SE | | OAR, CONNIE | A33-10069 /36.0 | - | | | |
| | | | SE | SE | | OAR, JACK | A33-10070 /36.0 | - | | | |
| | | | SE | SE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | SE | SE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| | | | SE | SE | | ALDOUS, JULIA V. | | 33-02013 /40.0 | | | |
| 09N | 27E | 22 | N4 | NW | | OAR, JACK | A33-00108 / 3.0 | 33-00108 / | 21.0 | | |
| | | | N4 | NW | | OAR, JACK | A33-00110 / 3.0 | 33-00110 / | | | |
| | | | N4 | NW | | OAR, CONNIE | A33-10069 / 3.0 | - | | | |

GPB

130

320

350

20

340

40

Panchini Exe - 001/8R
Ownership by CAA not shown
SEE NOTE 1.

16

15

24

2

NENE
13.0

NW
4.0

SENE
32.0

NESE
35.0

SESE
34.0

SWSE
32.0

21

22

28

27

NENE
25.0

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | HR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|------------------|-----|-----|---------------------|---------------|---------------|-----------------|----------------|------------------|
| 09N | 27E | 28 | NE | NE | | | A33-10070 | / 3.0 | | | |
| | | | N4 | N4 | | OAR, JACK | | | | | |
| | | | N4 | N4 | | WILLIAMS, HAROLD R. | | | | | |
| | | | N4 | N4 | | WILLIAMS, HAROLD R. | | | | | |
| | | | N4 | N4 | | BRABEC, MATTHEW | | | | | |
| | | | NE | NE | | OAR, JACK | | | | | |
| | | | NE | NE | | OAR, JACK | | | | | |
| | | | NE | NE | | OAR, CONNIE | | | | | |
| | | | NE | NE | | OAR, JACK | | | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | | | | |
| | | | NE | NE | | BRABEC, MATTHEW | | | | | |
| NE | NE | | ALDOUS, JULIA V. | | | | | | | | |
| TOTAL ACRES | | | | | | | A33-00108 | 145.00 | 32.0 | | 206.00 |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: BUTTE

DUE TO POJ DISCREPANCY? (Y/N)

PRESUMPTION FLAG: 0

NOTES:

1) 24 JAN. 96. BUTTE CO. ASSESSOR, LORI GIMMOT, CONFIRMS SWSIS SEC. 21 IS OWNED BY PANAMORE, INC.
EXCEPT THE AREA OWNED BY J. O. ANDERSON (NWSIS). ALSO, NW 1/4 OF LLR IS HELD BY PANAMORE, INC.

CLAIMED AS PERMISSIBLE PLACE OF USE

RECOMMENDATIONS:

TOTAL ACRES: 145

REVIEWED BY: [Signature]

DATE: 8/19/99

145

250

A. AJ CLAIMED USES:

| | | |
|----------------------|-------------------------------------|--------------------|
| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
| A33-00108 IRRIGATION | FROM 04-31 TO 11-01 | 1.800 CFS |
| | TOTAL DIVERSION RATE/VOLUME CLAIMED | 1.800 CFS |

B. WR RECORDED USES:

| | | |
|---------------------|-------------------------------------|--------------------|
| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
| 33-00108 IRRIGATION | FROM TO | 1.800 CFS |
| | TOTAL DIVERSION RATE/VOLUME CLAIMED | 1.800 CFS |

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

| | |
|--|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | FIELD EXAMINER |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | DATEBASE |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N N Y |

D. PERIOD OF USE:

| | |
|-------------------------------------|------------------------------------|
| RECOMMEND AS CLAIMED? | Y() N() |
| RECOMMEND TO WR STANDARDS OR OTHER? | Y() N() EXPLAIN IN NOTES, BELOW. |

NOTES:

* PERIOD OF USE AS DISCREPANCY

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

AJ TOTAL CLAIMED DIVERSION RATE: 1.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.300 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD WATER MASTER RECORDS, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: PORTION OF 33-00093E, 33-000920, 33-00109, 00108

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------------|---------------------|-----------|----------------|-----------|----------------|
| A33-00108 | LITTLE LOST RIVER | DAZ, JACK | 1.300 | 0.012 | | |
| A33-00110 | DRY CREEK | ANDREASON, JAMES O. | 0.300 | 0.006 | | |
| A33-00110 | HORSE CREEK | DAZ, JACK | 0.400 | 0.002 | | |
| A33-07055 | GROUNDWATER | ANDREASON, JAMES O | 1.440 | 0.013 | | |
| A33-10059 | LITTLE LOST RIVER | DAZ, CONNIE | 0.200 | 0.001 | | |
| A33-10070 | SAWHILL CREEK | DAZ, JACK | 0.750 | 0.005 | | |

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

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

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 352.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

P/O NOT GIVEN.

18. CALCULATIONS

1003 - 1.84 cfs - 1896 LLR
110 - 0.40 cfs - 1896 Horse Cr
920 - 10070 - 0.75 cfs - 1891 (Pamphlet Dead) SMC
109 - 10070 - 0.20 cfs - 1887 (Pamphlet Dead) LLR
1/2 of 90E AS 10069 - 0.20 cfs - 1887 (Pamphlet Dead) LLR

3.15

QTY - EQ4
DOCI - EQ4
EXP - F06

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

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

04-01 04-11-01

DATABASE EXAMINER
1.830

DATABASE EXAMINER

DATABASE EXAMINER
352.5

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE: 8/18/99

XXXVI

MATTHEW BRABEC and NEVA MAY BRABEC, husband and wife,
GILBERT A. BRABEC and MARIE BRABEC, husband and wife:

From Little Lost River:
From Saw Mill Creek:
From Horse Creek:

90 inches, May 1, 1896;
50 inches, May 25, 1891;
20 inches, May 1, 1896;

33 0108
33 0109
33 0110

Points of diversion:

From Little Lost River:

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

From Horse Creek:

SSE, ENE, NEE, Sec. 21

NW 1/4, Sec. 22

to be used upon and appurtenant to:

N 1/2 NE Sec. 28

The East half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter of Section 21; the Northwest Quarter of the Northwest Quarter of Section 22; the South half of the Southeast Quarter of Section 21; and the North half of the east Quarter of Section 28, Township 9 North, Range 27 East of the Boise Meridian.

EXEMPT FROM Little Lost River Decree P. 18

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ NEEDS REVIEW ()
FORFEIT/A BOND _____ ()
ADDITIONAL DIV. AMOUNT _____ ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00103

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 1.800 EXAMINER _____ CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| - | A33-00108 | 1.800 | - | - | 33-00103 | 1.800 |

TOTAL CFS 1.800

DIVERSION RATE REVIEW

FIELD EXAMINER _____
DATABASE Y

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

NOTES:

RIGHT, AS CLAIMED, IS CLAIMED IN-FULL.

AUTENTICATION:

SIGNATURE: [Signature] DATE: 21 FEB 85
NAME OF FIELD EXAMINER: Arthur R. Parrey TITLE: Sp. Act.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:54
03/31/93

964
CLAIM NUMBER: A33-20108

PAGE: 13
QUICKLOOK INFORMATION

| NR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | | | | | |
| POINT OF DIV | Y | | | N | | | | |
| SOURCE | | | | N | | | | |
| PLACE OF USE | | | | N | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | Y | | | | |
| CONSUMPTIVE USE | | | | Y | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | Y | | | N | | | | |
| BASIS OF CLAIM | | | | | | | | |
| REMARKS | Y | | | N | | | | |

VERIFIED 3Y CODES

TOPD MAP/ORT40-PQ = 1
ISCS MAP = 2
MASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:19:32
03/31/93
963

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A33-30108

| | | | | | | |
|---|----------------|------------------|-------------|-----------------------|-------------------|---------------------|
| OWNER
CJDE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
| C JACK OAR
C CONNIE OAR
MC 65 BOX 3165
HOME ID 33244 | 05/01/1936 | IRRIGATION | 04-01 11-01 | 1.80 CFS | 362.5 AFA | |

WATER SOURCE: LITTLE LOST RIVER

STAGE: DECREED

POINT(S) OF DIVERSION: T09N R27E S15 SESENE

BUTTE COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

| | | | | | | | |
|---------------------|----|---------------------|-------------------|-------------------|-------------------|-------------------|-------|
| | | NE | | SW | | SE | |
| NENE NUNE SANE SENE | | NENW NUNW SANW SENW | | NENE NUSE SENE | | SUM | |
| I | R | S | LT AC LT AC LT AC | LT AC LT AC LT AC | LT AC LT AC LT AC | LT AC LT AC LT AC | |
| 09N 27E 21 | 10 | 25 | | | 02 | 35 | 107.0 |
| 09N 27E 22 | | | | | | | 3.0 |
| 09N 27E 23 | 35 | | | | | | 35.0 |
| TOTAL ACRES | | | | | | | 145.0 |

POU COUNTY: BUTTE

NON-IRRIGATION USES: NONE

OTHER RIGHTS: PORTION OF 33-00092E, 33-00092, 33-30109, 00108

REMARKS: 33-30108A PANCHERI CLAIMED 1.8 CFS WINDOMAN, Feb 2 1993, K. Foster

DATES: EXAM MADE DATE: VERIFIED DATE: 10/07/1985

MISC: WATER DISTRICT NUMBER: 33 FIELD INSPECTION FLAG: D PRESUMPTION FLAG: D



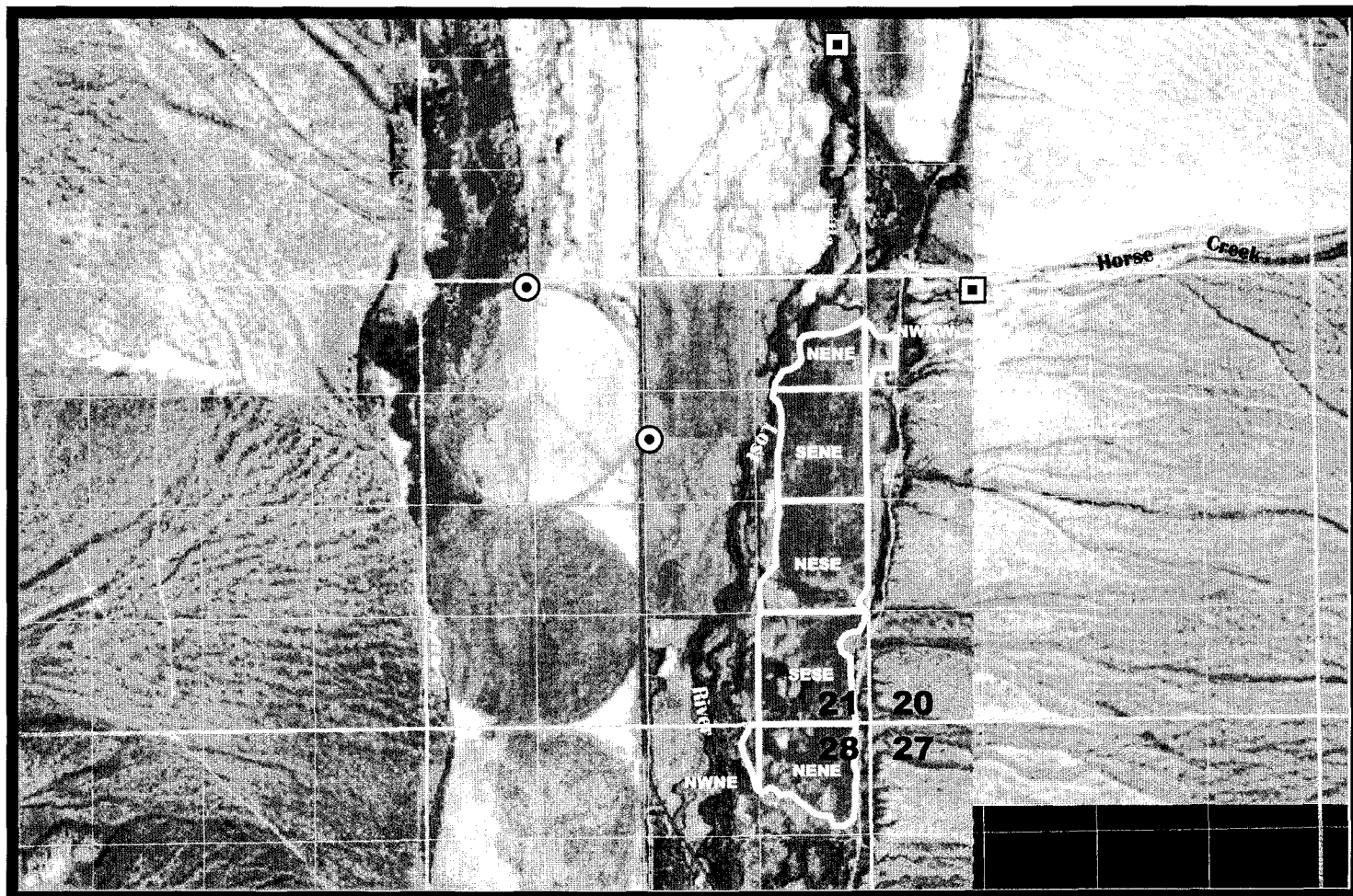
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Jack Oar

Water Right(s): 33-00108, 33-00110



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 12000 12750 13500 Feet

LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

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

Sec. 21 (parts of) E2E2,

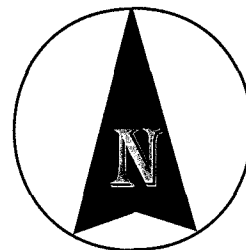
Sec. 22 (part of) N2NW,

Sec. 28 (parts of) N2NE

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

Sec. 16 SESENE (Little Lost River)

Sec. 21 NENENW (Horse Creek)



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

DATE: 10/08/99
PAGE: 1

Peer Po # 39.41
Peer Po # 51

AJ0749NP
No. R33-00108

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/08/99
PAGE: 2

Comments: Date: 10/06/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
33-00108A PANCHERI CLAIMED 1.8 CFS, WITHDRAWN 2/2/93 BY K. FOSTER
Date: 10/08/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
WATER RIGHT NOS. 33-10070 AND 33-00090E ARE CLAIMED BY
PANCHERI, INC. ON THE RECOMMENDED LANDS OF THIS RIGHT.

Audit: 10/08/99 ARUBERRY

NO LATE FEE IF RECEIVED

BY 2/5/90 E.O.

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: A33-00108

Date Received: 12/26/1989

Receipt No: E011733

Received By: EV

P.M. 1/12/90

RECEIVED

JAN 16 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK OAR
Address: HC 65 BOX 3165
HOWE, ID

83244

OR

Name: CONNIE OAR
Address: HC 65 BOX 3165
HOWE, ID

83244

RECEIVED

JAN 1990

Department of Water Resources
Eastern District Office

2. Date of Priority: MAY 01, 1896

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 09N | 27E | 16 | SE | SE | NE | | BUTTE |

5. Description of diverting works:
HEADGATE IN RIVER TO 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 | 1.800 | | |

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

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A3300108

A33-00108

Page 1

Date: 12/26/89

MICROFILMED
NOV 18 1992

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|---------------|-----|-----|-------|-------|
| 09N | 27E | 21 | NE | NE | | IRR | 10.0 |
| | | | SE | NE | | IRR | 25.0 |
| | | | NE | SE | | IRR | 34.0 |
| | | | SW | SE | | IRR | 2.0 |
| | | | SE | SE | | IRR | 36.0 |
| | | | Section Acres | | | | |
| | | 22 | NW | NW | | IRR | 3.0 |
| Section Acres | | | | | | 3.0 | |
| | | 28 | NE | NE | | IRR | 35.0 |
| Section Acres | | | | | | 35.0 | |
| Total Acres | | | | | | 145.0 | |

No ownership
NW 1/4 - 2 Sec. 28

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:

PORITON OF 33-00090E, 33-00092D, 33-00109, 00108

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/04/1927

BLAINE COUNTY INVESTMENT CO.

Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jack Oar Date: Dec. 26, 1989

Date: _____

State of Idaho)
County of Benewah) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of December 1989

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MICROFILMED

NOV 18 1992

