

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TAP	RGE.	SEC.	1/4	1/4	LOT	CNTY
A33-00110	03N	27E	22	NE	NW		BUTTE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
NONE
WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: HORSE CREEK

TR19: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3300110 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: HORSE CREEK

TR19: LITTLE LOST RIVER

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DATABASE	Y/N	Y/N
	Y		
	N		

NOTES:



Photo Taken 25 Aug 94
By ABERNETHY.
Shows Horse Creek Divert.
and Headwork or Pipeline
to Sprinkler System
* SITE CONVEYANCE SYSTEM
IN A33-00108, ASCS
photo (copy).



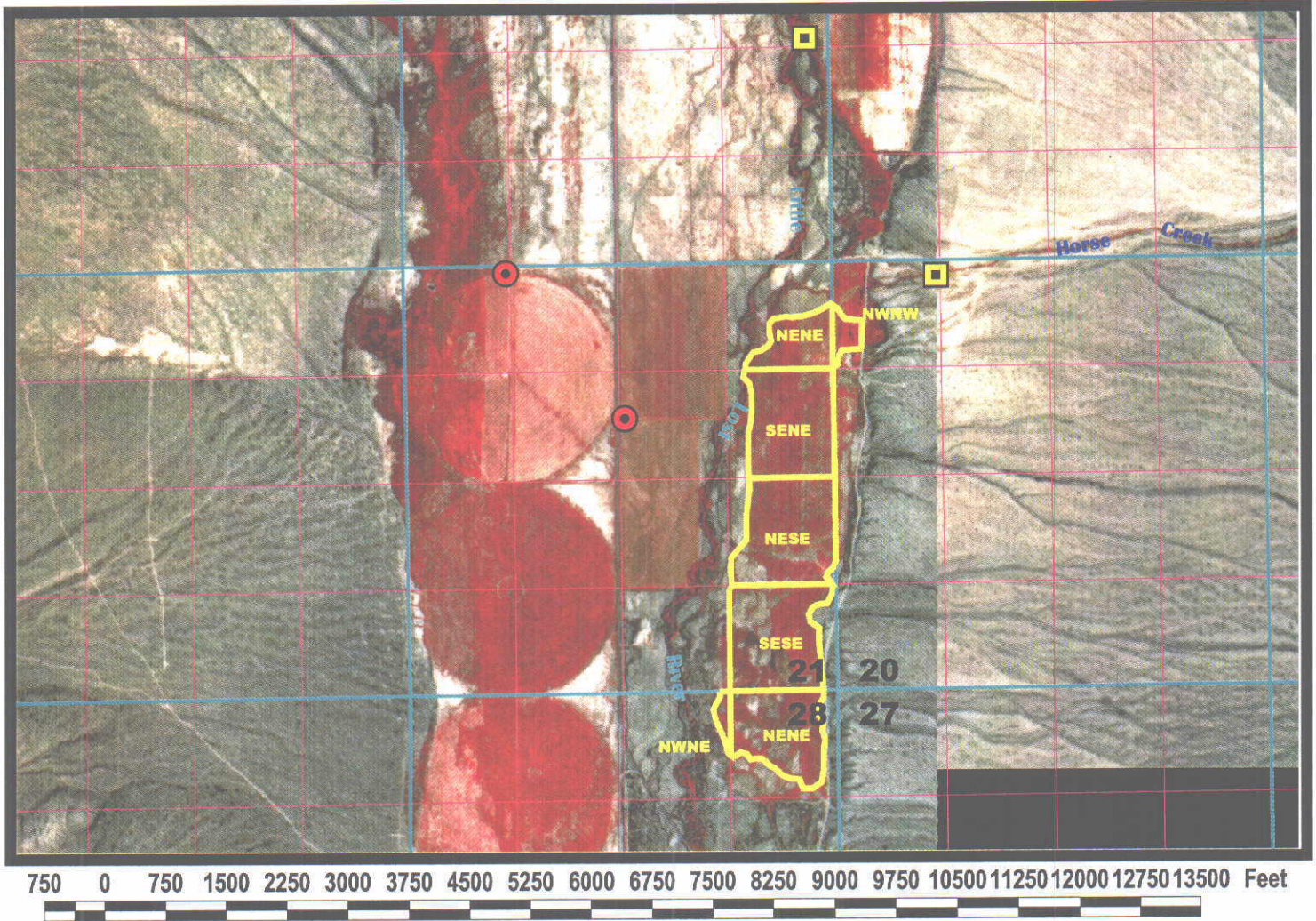
STATE OF IDAHO

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,

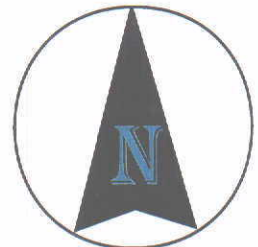
Sec. 28 (parts of) N2NE

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

Sec. 16 SESENE (Little Lost River)

Sec. 21 NENENW (Horse Creek)

NW



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

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: 33-00110

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: Jack Oar

Please print your name: Jack Oar

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

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 ½ 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 ½ 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

Water Right Number - A33-00110

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+++ C - CURRENT OWNER +++
OAR

*** C - CURRENT OWNER ***
OAR

JACK

1 - HC 65 BOX 3165
2 -
3 -

State- ID Zip- 83244

City- HOWE
Phone - 208-000-0000

CONNIE

1 - HC 65 BOX 3165
2 -
3 -

State- ID Zip- 83244

City- HOWE
Phone - 208-000-0000

+++ Priority Date - - - + 05/01/1896
Region - - - + 15 EASTERN
Stage - - - + D - DECREED
Status - - - +

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

+++ Point of Diversion - - - +
Diversion Name

09N 27E 22 NE NW NW (23) BUTTE

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

01 - IRRIGATION

04/01 11/01 0.400

+++ Total Div. Rate - - - + 0.400
Total Div. Volume - - - + 0.400
Total Div. Capacity - - - + 362.5
Total Consumptive Use - - - +

+++ Twn Rng Sec Tract Lot Acres Place of Use Code Description County

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	27E	21	NE NE	10.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	21	SE NE	25.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	21	NE SE	34.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	21	SE SE	2.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	21	SE SE	36.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	22	NW NW	3.0	01	IRRIGATION	01	IRRIGATION	BUTTE
09N	27E	28	NE NE	35.0	01	IRRIGATION	01	IRRIGATION	BUTTE

Total Acres: 145.0

+++ Diversion Means - HEADGATE IN STREAM TO GRAVITY FLOW PIPELINE. WHEELINES/HANDLINES

+++ Non-Irrigation Use - NONE

+++ Other Rights for Same Use - PORTION OF 33-00092D AND 33-00109, , 33-00090EAND 33-00108

Water right number - A33-00110

Prefix Translation: ADJUDICATION CLAIM

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

GEN 33-00110 PANCHERI CLAIMED 0.4 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 01/16/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | 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 | - |

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, F
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
JAMES K. SLAVENS

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

HAHN III
STIAN

OLDEN
(7)
OLDEN
(1)
APO
(2)
OLDEN
(8)

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

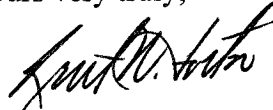
Lucy
RECEIVED
MAY 5 1994

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

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

Call on

5-19

MICROFILMED
MAY 15 1994

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) [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 JP

58561/srs

NOV 15 1990

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
JUL 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

RECEIVED
NOV 15 1993

NO. 027927

FILED

APR 29 1994

QUITCLAIM DEED

A.M. 2:14 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:

Microfilm
NOV 15 1995

| <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 1895

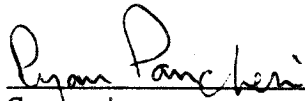
In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

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

RECORDED
NOV 15 1990

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 Hailey Id
My Commission Expires: 4-6-94

#7548.00
58541/srs

RECORDED
NOV 15 1993

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
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DONALD L. HARRIS
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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

RECEIVED
MAY 5 1994

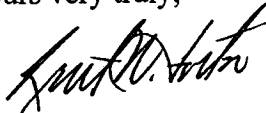
Department of Water Resources
Eastern District Office

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

Gentlemen:

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Yours very truly,

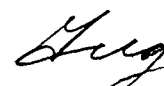


Kent W. Foster

Enclosure

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

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



RECEIVED

MAR 20 1996

State of Idaho

Department of Water Resources

COPY

ASSIGNMENT OF NOTICE OF CLAIM(S)

Department of Water Resources
Eastern District Office

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.
Jerry Pancheri JP.

PANCHERI, INC.

Signature of Claimant(s) Jerry Pancheri
Jerry Pancheri, President

ATTEST:

Frian Pancheri
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 Jacqueline A. Hays
Residing at Idaho Falls, Idaho
My Commission Expires 4.6.99

58561/srs

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

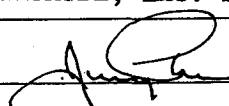
If yes, then describe the portion of the water right that
is now claimed by the new owner:

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

Date: _____

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

Date: _____

 President

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

RECEIVED

MAR 20 1996

Department of Water Resources
Eastern District Office

COPY

QUITCLAIM DEED

NO. 027927
FILED

APR 29 1994

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 | 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;

*E2E2
SWNS
NWSR } G. OF LR Sec. 21*

Section 22, NW1/4 of the NW1/4; *NWNW Sec. 22*

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

*NWNW Sec. 28
NENW*

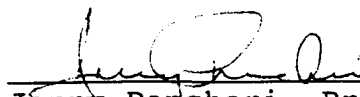
TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

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

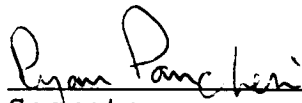
In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

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 Naime Id
My Commission Expires: 4.6.94

#7548.00
58541/srs



A33-001684

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

RECEIVED

FEB 12 1993

Department of Water Resources

Eastern District Office
CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1993

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 16 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 for 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

MICROFILMED

NOV 18 1992

Dear Mr Ernest Carlsen,

we written a new check and enclosed it.

Sincerely, Connie L Oar

From Original Warranty Deed
8 Sept. 1989.

A33-10070

LEGAL DESCRIPTION
EXHIBIT "A"

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

Section 21: SE 1/4 NE 1/4 21

Section 22: NW 1/4 NW 1/4 22

Section 28: NE 1/4 NE 1/4, lying East of the Little Lost River

TOGETHER WITH, all of that portion of the SW 1/4 NE 1/4 and the
NW 1/4 SE 1/4 of Section 21, Township 9 North, Range 27 E.B.M., lying
East of the East bank of the Little Lost River.

TOGETHER WITH, all water and water rights more particularly
described as follows:

Horse Creek 5-1-96, twenty (20) inches
and 5-1-96, ninety (90) inches and one-half
(1/2) of the Bradec Place Water, [90 E 920 + 109]
ditch and ditch rights appurtenant thereto represented by license,
permit or otherwise and all mineral, oil, gas, coal and geothermal
rights appurtenant thereto.

On's claims Rights per this Doc.

~~WRE 5158~~

- 00109 - 0.50 cfs Sawmuck 5/25/1891
- 00090B - 0.20 cfs Little Lost River 4/1/1887
- 00092D - 0.25 cfs Sawmuck 5/25/1891

00108 - 1.80 cfs LLR 5/1/1896
00110 0.4 cfs Horseck 5/1/1896

MICROFILMED

NOV 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 1
GENERAL INFORMATION

963
CLAIM NUMBER: A33-00110

LAST: OAR
ADDRESS: HC 55 BOX 3155
CITY: HOME
PHONE NUMBER: 208-000-0000.
OWNER CODE: C

FIRST: JACK
STATE: ID ZIP: 83244

LAST: OAR
ADDRESS: HC 65 BOX 3165
CITY: HOME
PHONE NUMBER: 208-000-0000

FIRST: CONNIE
STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: 33-00110 PANCHERI CLAIMED 0.4 CFS - WITHDRAWN

LETTER: K. FOSTER (A) TO E. VERNER
REQUESTS WITHDRAWAL AND RETURN,
DATED 2 FEB. 1993. DENIED 10 FEB 93,
D. SHARP TO K. FOSTER.

SEE FILE A33-00108 FOR DOCS. OR
SEE AJ MICROFILM.

CONTACT PERSON: AL RUCKENRIED

PHONE NUMBER: () 242-3225

DATE OF FIELD EXAM: 8/25/84

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: JACK & CONNIE CAR

PHONE NUMBER: () - - -

RELATIONSHIP TO CLAIMANT: OWNERS

DIRECTIONS TO PROPERTY / NOTES:

Met with Jack Car & wife Connie. Jack showed me points of diversion, places of use, and delivery system of house & pipe line and little lost fence ditch.

A. AJ CLAIM: # A33-00110 PRIORITY DATE: 05-01-1896 STAGE: D
B. WR RECORD: # 33-00110 PRIORITY DATE: 05-01-1896 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

FIELD
EXAMINER
DATABASE
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? V() N()
IF YES EXPLAIN.

NOTES: *Priority date claimed matches Database Priority Date.*

RECOMMENDED PRIORITY DATE:
05-01-1896 *As claimed*

REVIEWED BY *[Signature]* DATE *22 Aug 94*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| | | | | | | | | |
|-----------|------|------|------|-----|-----|-----|-----|-------|
| RIGHT | TAP. | ROE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
| A33-00110 | GIN | 27E | 22 | NE | N4 | W4 | | BUTTE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

NR RECORDS IN SAME 40 ACRE TRACT

SOURCE: HORSE CREEK TRIB: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5330110 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: HORSE CREEK TRIB: LITTLE LOST RIVER

C. FIELD EXAM REQUIRED?

| | | | |
|----------------|----------|-----|-----|
| FIELD EXAMINER | DATABASE | Y/N | Y/N |
| | | Y | N |

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

NOTES:



Photo Taken 25 Aug 94
By ABERNETHY.
SHOWS HORSE CREEK DIVER.
AND HEADWORK OR PIPELINE
TO SPRINKLER SYSTEM.
* SUB CONSULTING SYSTEM
IN A33-00110, A33C
Photo (copy).

| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: | | | COUNTY | | DIVERSION NAME | |
|---|------|------|--------|-----|-------------------------|----|
| TWP. | RGE. | SEC. | 1/4 | LOT | | |
| 9N | 22E | 22 | NE | NW | Butte | |
| -- | -- | -- | -- | -- | -- | -- |
| -- | -- | -- | -- | -- | -- | -- |
| -- | -- | -- | -- | -- | -- | -- |
| -- | -- | -- | -- | -- | -- | -- |
| -- | -- | -- | -- | -- | -- | -- |
| -- | -- | -- | -- | -- | -- | -- |
| SOURCE: HORSE CREEK | | | | | TRIB: LITTLE LOST RIVER | |

REVIEWED BY: AB [Signature] DATE: 25 Aug 94
SYSTEM DESCRIPTION: SEE Photos of DIVERSION AND PIPELINE HEAD ABOVE - Pg. 4.

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 0110

Points of diversion:

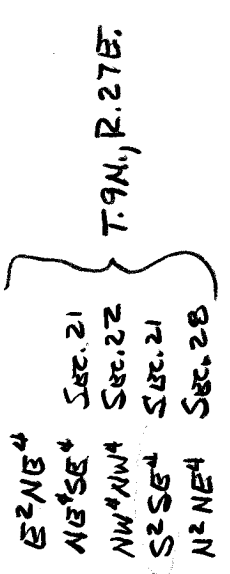
From Little Lost River:

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

From Horse Creek:

to be used upon and appurtenant to:

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.
EXEMPT FROM LITTLE LOST RIVER DECREE Pg. 18.



A. ROOT WATER RIGHT NUMBERS: A33-00110

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | JR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|---------------------|------------------|------------------|-----------------|----------------|------------------|
| 09N | 27E | 21 | NE | NE | | OAR, JACK | A33-00110 / 10.0 | 33-00110 / | 35.0 | | 18.8 |
| | | | NE | NE | | OAR, JACK | A33-00108 / 10.0 | 33-00108 / | | | |
| | | | 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 | A33-00110 / 25.0 | 33-00110 / | DELETED
39.0 | | 36.0 |
| | | | SE | NE | | OAR, JACK | A33-00108 / 25.0 | 33-00108 / | | | |
| | | | 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 | A33-00110 / 34.0 | 33-00110 / | DELETED
36.0 | | 39.0 |
| | | | NE | SE | | OAR, JACK | A33-00108 / 34.0 | 33-00108 / | | | |
| | | | 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 | S4 | SE | | OAR, JACK | A33-00110 / 2.0 | 33-00110 / | DELETED
5.0 | | 4.4 |
| | | | S4 | SE | | ANDREASON, JAMES O. | A33-00100 / 5.0 | - / | | | |
| | | | S4 | SE | | ANDREASON, JAMES O. | A33-07055 / 5.0 | 33-07055 / 5.0 | | | |
| | | | S4 | SE | | OAR, JACK | A33-00108 / 2.0 | 33-00108 / | | | |
| | | | S4 | SE | | OAR, CONNIE | A33-10069 / 2.0 | - / | | | |
| | | | S4 | SE | | OAR, JACK | A33-10070 / 2.0 | - / | | | |
| | | | S4 | SE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | S4 | SE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| | | | S4 | SE | | ALDOUS, JULIA V. | | 33-02013 / 140.0 | | | |
| 09N | 27E | 21 | SE | SE | | OAR, JACK | A33-00110 / 36.0 | 33-00110 / | DELETED
38.0 | | 31.2 |
| | | | SE | SE | | OAR, JACK | A33-00108 / 36.0 | 33-00108 / | | | |
| | | | 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 / 140.0 | | | |
| 09N | 27E | 22 | N4 | N4 | | OAR, JACK | A33-00110 / 3.0 | 33-00110 / | DELETED
21.0 | | 3.0 |
| | | | N4 | N4 | | OAR, JACK | A33-00108 / 3.0 | 33-00108 / | | | |
| | | | N4 | N4 | | OAR, CONNIE | A33-10069 / 3.0 | - / | | | |

Ownership by Oar not a bar
SEE NOTE 2.

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--|------------------|--|-----------------|----------------|------------------|
| 09N | 27E | 28 | N4 | N4 | | OAR, JACK
WILLIAMS, HAROLD R.
WILLIAMS, HAROLD R.
BRABEC, MATTHEW | A33-10070 / 3.0 | 33-00090E /
33-00092D /
33-00109 / | | | |
| | | | NE | NE | | OAR, JACK | A33-00110 / 35.0 | 33-00110 / | 32.0 | | 26.8 |
| | | | NE | NE | | OAR, JACK | A33-00108 / 35.0 | 33-00108 / | | | |
| | | | NE | NE | | OAR, CONNIE | A33-10069 / 35.0 | - / | | | |
| | | | NE | NE | | OAR, JACK | A33-10070 / 35.0 | - / | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | 33-00090E / | | | |
| | | | NE | NE | | WILLIAMS, HAROLD R. | | 33-00092D / | | | |
| | | | NE | NE | | BRABEC, MATTHEW | | 33-00109 / | | | |
| | | | NE | NE | | ALDOUS, JULIA V. | | 33-02013 / 40.0 | | | |
| TOTAL ACRES | | | | | | | A33-00110 | 145.00 | 206.30 | DELETED | |

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

NW1/4 SEC. 28 DELETED 2.4

C. FIELD EXAM REQUIRED?

POU COUNTY: BUTTE

FIELD EXAMINER

DATEBASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: D

161.6
- 4.4 NO OWNERSHIP
Total - 157.2

NOTES:

1. AVERAGE AMOUNT NOT SPECIFIED BY PERRE - SEE EXCEPT OF DEEDS PG. 4 ABOVE.
2. 24 Jan 96, Butte Co. Assessor, Lori Ginnady, PARKERS SW 1/4 SEC. 21 AND NW 1/4 SEC. 28
ARE HELD BY PANCHISTEL, INC., EXCEPT 9 AC. IN NW 1/4 SEC. 21. T. 9N. R. 27E.

RECOMMENDATIONS:

TOTAL ACRES: 157.2

REVIEWED BY: A. RUBEN

DATE: 25 Aug. 94

CONDITION:

A. AJ CLAIMED USES:

PURPOSES
A33-00110 IRRIGATION

MONTH/DAY
FROM 04-21 TO 11-01

DIVERSION QUANTITY
400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

400 CFS

B. WR RECORDED USES:

PURPOSES
33-00110 IRRIGATION

MONTH/DAY
FROM 10

DIVERSION QUANTITY
400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

400 CFS

PRESUMPTION FLAG: 0

C. FIELD EXAM REQUIRED?

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

FIELD
DATABASE EXAMINER
N
N
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

EXPLAIN IN NOTES, BELOW.

NOTES:

As Claimed Per Database

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 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
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

Water meter, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: PORTION OF 33-030920 AND 33-00109, 33-00090 AND 33-00103

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------------|---------------------|-----------|----------------|-----------|----------------|
| A33-00110- | HORSE CREEK | DAZ, JACK | 0.400 | 0.002 | | |
| A33-00130 | DRY CREEK | ANDREASON, JAMES O. | 0.300 | 0.006 | | |
| A33-00138- | LITTLE LOST RIVER | DAZ, JACK | 1.300 | 0.012 | | |
| A33-07055 | GRUNDWATER | ANDREASON, JAMES O | 1.440 | 0.013 | | |
| A33-10059- | LITTLE LOST RIVER | DAZ, CONNIE | 0.200 | 0.001 | | |
| A33-10070- | SAHILL CREEK | DAZ, JACK | 0.750 | 0.005 | | |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

18. CALCULATIONS

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()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 332.5 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.

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

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VJL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|----------------------------|--------------------------|----------------------------|
| IRRIGATION | 04-01 11-01 | DATABASE EXAMINER
0.430 | DATABASE EXAMINER
--- | DATABASE EXAMINER
362.5 |
| TOTAL FOR THIS RIGHT | | 0.430 | | 362.5 |

REVIEWED BY: *[Signature]*

DATE: 12/24/99

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/AJANDON _____
ADDITIONAL DIV. AMOUNT _____
ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00110

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A33-00110 | 0.400 | - | | 33-00110 | 0.400 |
| TOTAL CFS | | 0.400 | | | | 0.400 |

DIVERSION RATE REVIEW

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

DATABASE Y
FIELD EXAMINER

NOTES:

CLAIMED IN FULL

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE: 13 Sept 99

NAME OF FIELD EXAMINER:

David R. Rupp

TITLE:

State Rep

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

973
CLAIM NUMBER: A33-20110

PAGE: 13
QUICKLOOK INFORMATION

| WR 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 | | | | | | | |
| SOURCE | | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | | | | | | | | |
| REMARKS | Y | | | | | | | |

VERIFIED BY CODES

TOPQ MAP/ORT40-PQ = 1
USCS MAP = 2
MASTER RECORDS = 3
MAP 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

03:19:11
03/31/93
973

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A33-J0110

OWNER CODE: C JACK OAR
C CONNIE OAR
MC 65 BOX 3165
HOME ID 83244

NAME & ADDRESS

PRIORITY DATE: 05/01/1896

WATER USE: IRRIGATION

USE PERIOD FROM TO: 04-01 11-01

DIVERSION RATE: 0.40 CFS

DIVERSION VOLUME: 362.5 AFA

WATER SOURCE: HORSE CREEK

STAGE: DECREE

POINT(S) OF DIVERSION: T09N R27E S22 NENNW BUTTE COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

| NE | | NW | | SW | | SE | |
|------------------------|------|------------|------|------------------------|------|------------|------|
| NAME | NAME | NAME | NAME | NAME | NAME | NAME | NAME |
| LT | AC | LT | AC | LT | AC | LT | AC |
| 09N 27E 21 | 10 | 09N 27E 22 | 35 | 09N 27E 23 | 35 | 09N 27E 24 | 35 |
| TOTAL DIVERSION: 107.0 | | | | TOTAL DIVERSION: 107.0 | | | |
| CONSUMPTIVE USE: 35.0 | | | | CONSUMPTIVE USE: 35.0 | | | |
| TOTAL ACRES: 145.0 | | | | TOTAL ACRES: 145.0 | | | |

POU COUNTY: BUTTE

NON-IRRIGATION USES: NONE

OTHER RIGHTS: PORTION OF 33-00092D AND 33-00109, 33-00090E AND 33-03108

REMARKS: 33-00110 PANCHERI CLAIMED 0.4 CFS WITHDRAWAL, 2 FEB 1993, K. Foster

DATES: EXAM MADE DATE: 10/07/1985

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

Caudman/Remarks
CD1



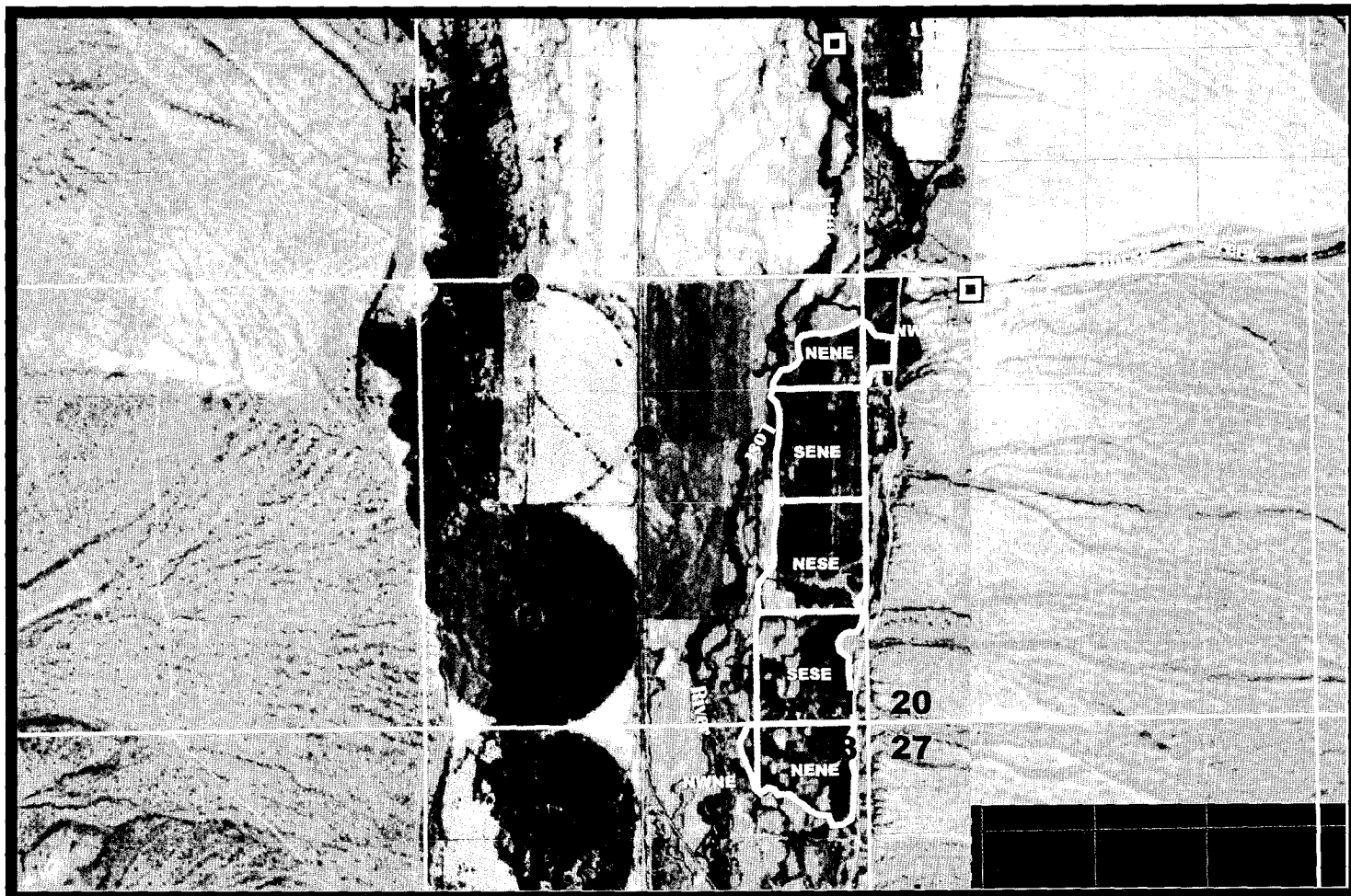
STATE OF IDAHO

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,

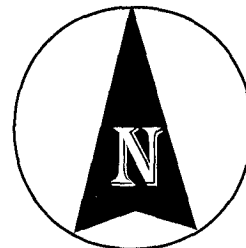
Sec. 22 (part of) NWNW,

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

AJ0749NP
No. R33-00110

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
33-00110 PANCHERI CLAIMED 0.4 CFS. WITHDRAWN, LETTER DATED 2 FEB.
1993, K. FOSTER (A).

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 IF RECEIVED

BY 2/5/90 R.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: A33-00110

Date Received: 12/26/1989

Receipt No: E011733

Received By: EL

P.M. 1/12/90

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

2. Date of Priority: MAY 01, 1896

3. Source: HORSE CREEK

Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 09N | 27E | 22 | NE | NW | NW | | BUTTE |

5. Description of diverting works:

HEADGATE IN STREAM TO GRAVITY FLOW PIPELINE. WHEELINES/HANDLINES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.400 | | |

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

362.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A33-00110

Page

1

Date: 12/26/89

A3300110



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 | |

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 33-00092D AND 33-00109, , 33-00090EAND 33-00108

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

(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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

22 Aug 1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MICROFILMED

NOV 24 8 1992

