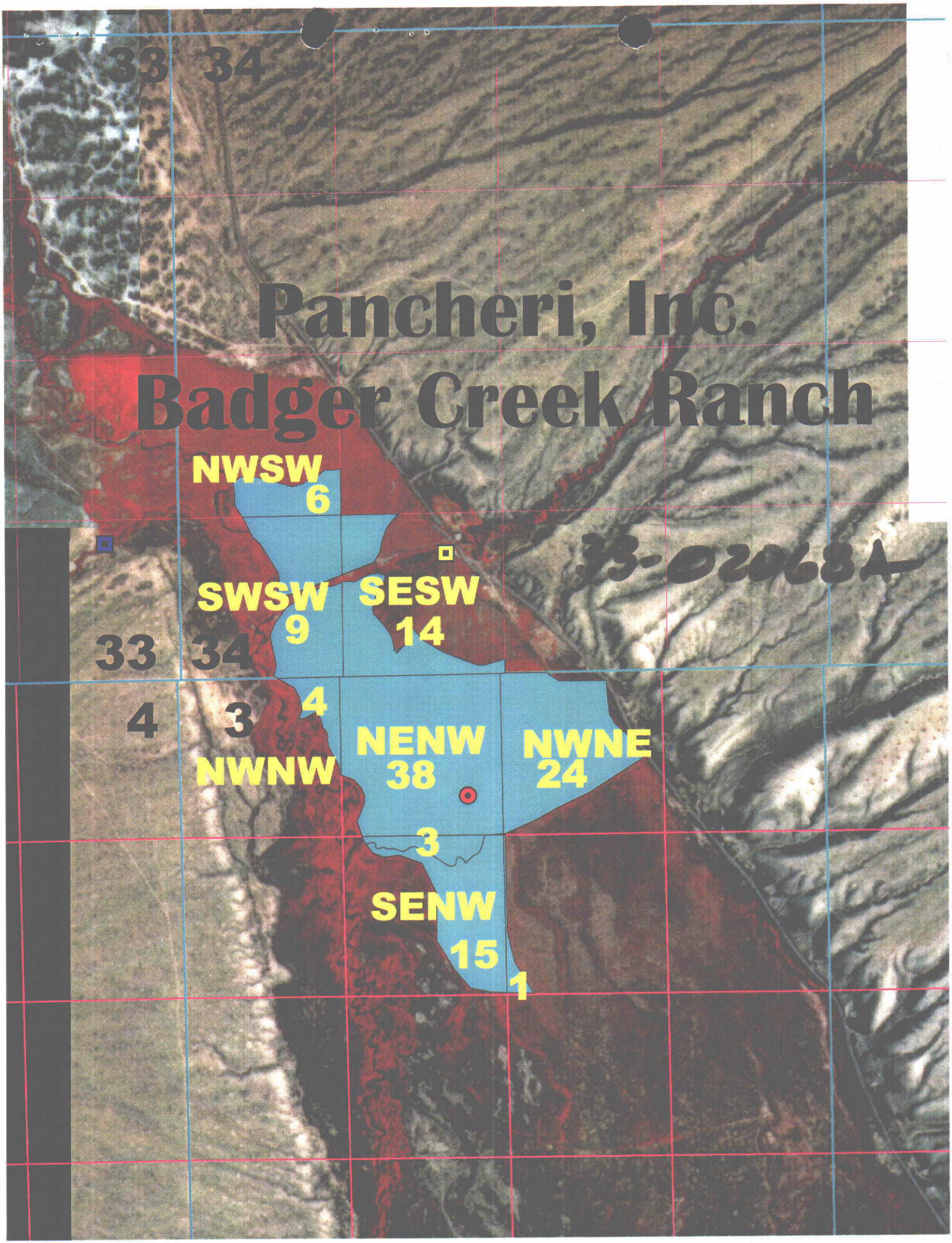
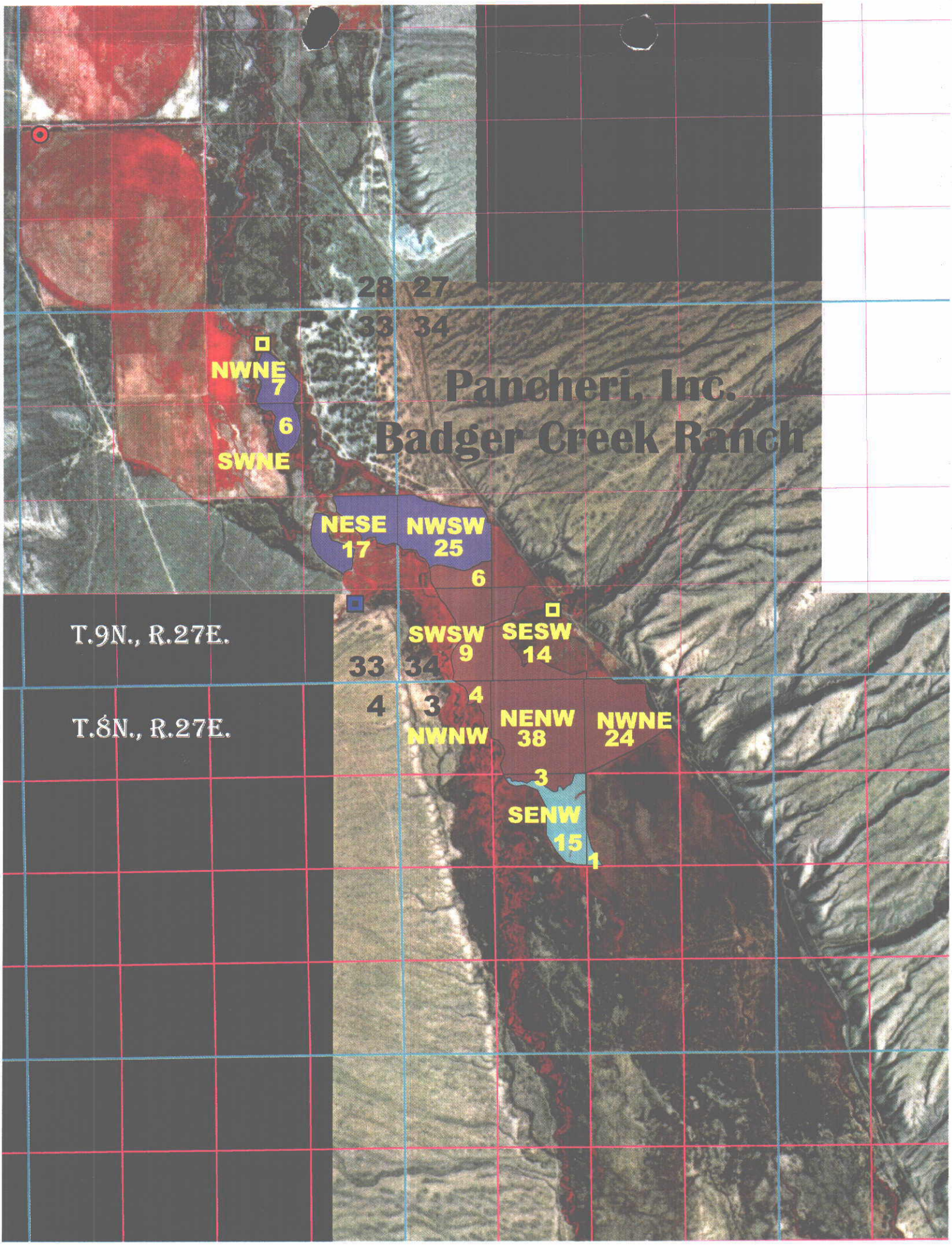
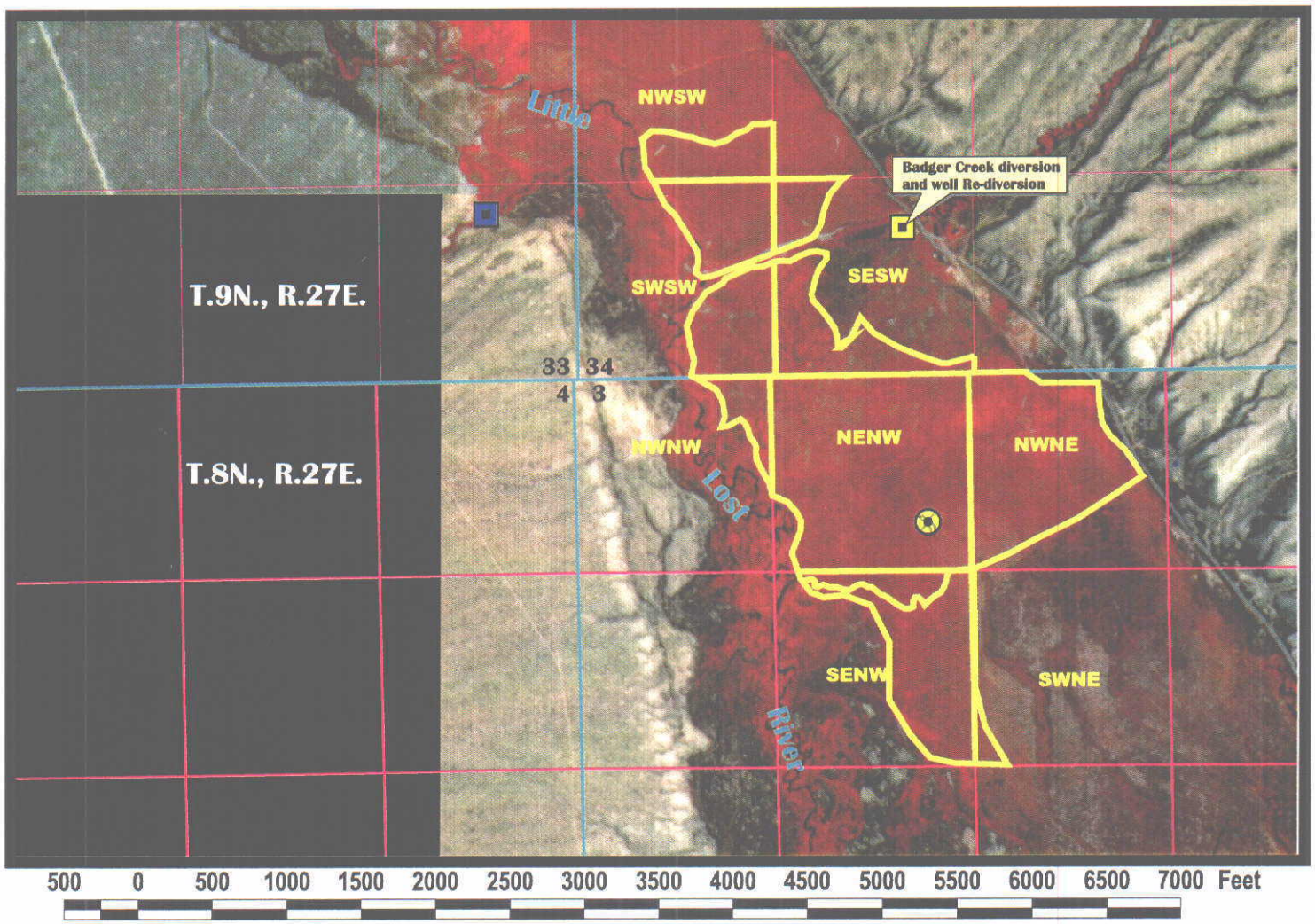

Pancheri, Inc.
Badger Creek Ranch
NWSW
6
SWSW
9
SESW
14
33
34
4
3
4
NWNW
NENW
38
NWNE
24
3
SENW
15
1


28
27
33
34
NWNE
7
6
SWNE
Pancheri, Inc.
Badger Creek Ranch
NESE
17
NWSW
25
6
T.9N., R.27E.
SWSW
9
SESW
14
33
34
4
3
4
NWNW
NENW
38
NWNE
24
T.8N., R.27E.
3
SENW
15
1

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-02068A, 33-00035A



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. 34 (parts of) S2SW, NWSW,
T.8N., R.27E Sec. 3 (parts of) N2NW,
SENW, W2NE

Point(s) of Diversion: T.8N., R.27E.
Sec. 3 SENENW (well)
Sec. 3 NWSENW (injection)
T.9N., R.27E. Sec. 34 NESESW
(well rediversion and Badger Ck diversion)

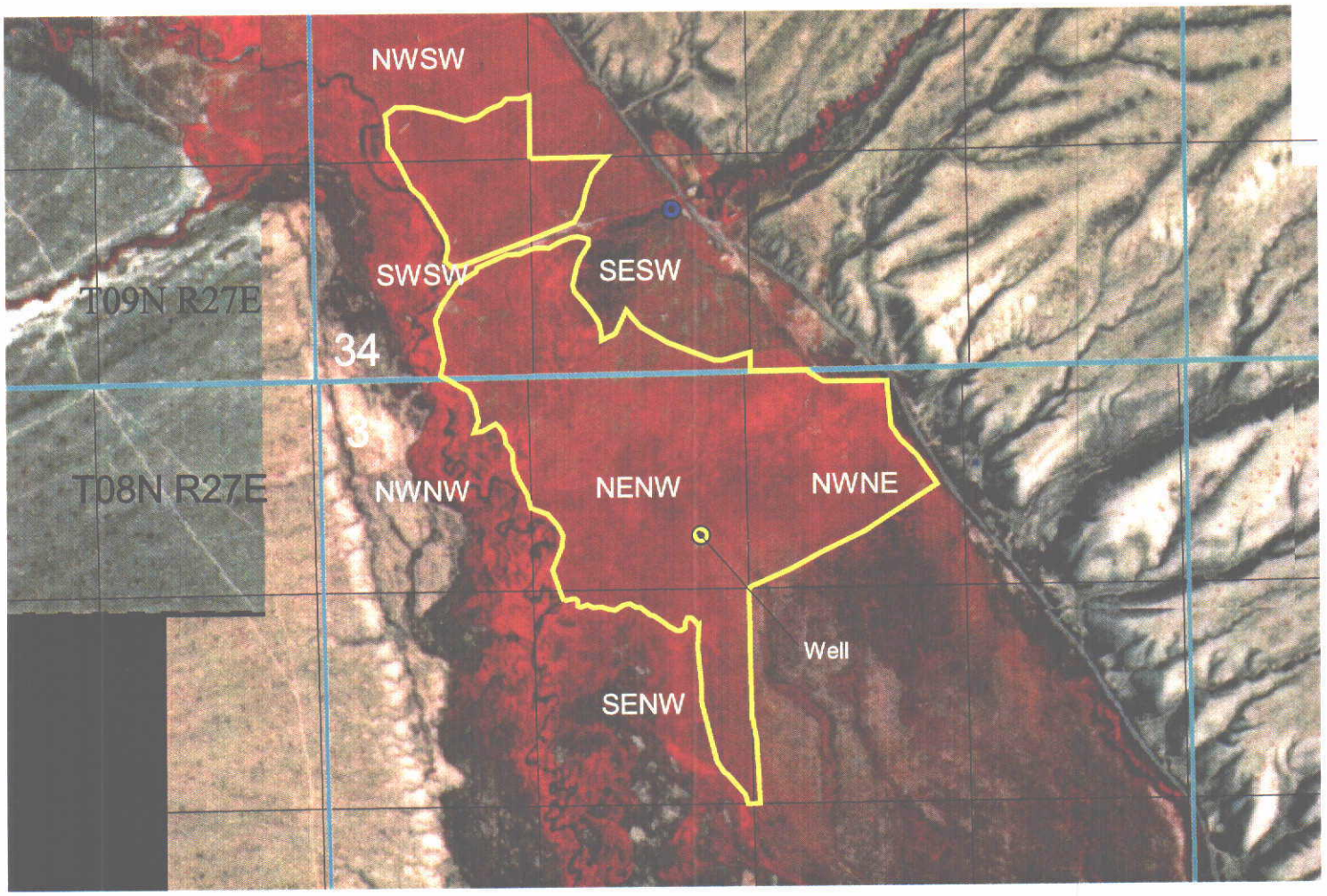


GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-2068A



LEGEND

- Point of Diversion
- Place of Use
- Section Line
- Quarter-section line

Irrigated Acres = 114

N
W
E
S

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2001

CLAIM NO(S). A33-00035A, 00032A
DATE: 12 Oct 95 T 9N. R 27E.
SOURCE OF DOC: ASCS
SIGNATURE:

Little Lost River Diversion A33-00032A

NO IRRIGATION TO THESE FIELDS

OLD FLUME CROSSING LITTLE LOST RIVER - UNSERVICABLE

DITCH UNSERVICABLE AT THIS LOCATION

NO DECREED WATER THIS QQ CLAIMED 9.0 AC

NHEL NVI ③ 3.2

NHEL NVI ④ 17.5

PAST 13.0

629 T-438 NHEL PANCHERI INC

① 19.6

② 6.4

③ 11.7

④ 14.

⑤ 2.9

⑥ 18.6

R. 27E.

BADGER CREEK

POINT OF DIVERSION BADGER CREEK DIVERSION

NEW Stk 59 State of Idaho

NO DECREED WATER THIS QQ CLAIMED 5.0 AC.

Dry

DEER CREEK

T. 9N.

T. 8N.

33 34
4 3

LOT 4 37.94

LOT 3 38.26

LOT 2 38.20

LOT 1 39.20

PAST 9.4

PAST 23.2

PAST 25.0

PAST 16.4

POINT OF DIVERSION WELL A33-02068

SPRING

POND

DITCH

POINT OF INJECTION

PARSHALL FLUME

4 3
9 10

LEGEND

23 ACREAGE (DOT COUNT) ACTUAL
PARCELS AS DECREED (NO AC.)
CLAIMED. NOT IRRIGATED

A33-02068

CLAIM NO(S). A33-00035A, A33-00032A, 000334

DATE: 12 Oct 95 T 9N. R 27E.

SOURCE OF DOC: ASCS

SIGNATURE:

BADGER CREEK UPPER DIVERSION - EXCHANGE WITH LITTLE LOST RIVER

NO IRRIGATION TO THESE FIELDS

OLD FLUME CROSSING LITTLE LOST RIVER - UNSERVICABLE

DITCH UNSERVICABLE AT THIS LOCATION

T.43 PANCHERI NG

R. 27E.

BLM Land

NESW Sec. 34

BADGER CREEK

POINT OF DIVERSION

DEER CREEK

T.9N.

T.8N.

33 34

4 3

9 10

Lot 4 37.94

Lot 3 38.26

Lot 2 38.20

Lot 1 39.20

PAST. 23.2

PAST. 25.0

POINT OF DIVERSION WELL A33-02068

SPRING

DITCH

POINT OF INJECTION

PARSHALL FLUME

UP HILL

3.2

17.5

19.6

18.6



Photo 4. Shows Little Lost Ri. EXCHANGE DIVERSION FOR TH. BADGER CREEK DECREED RIGH.

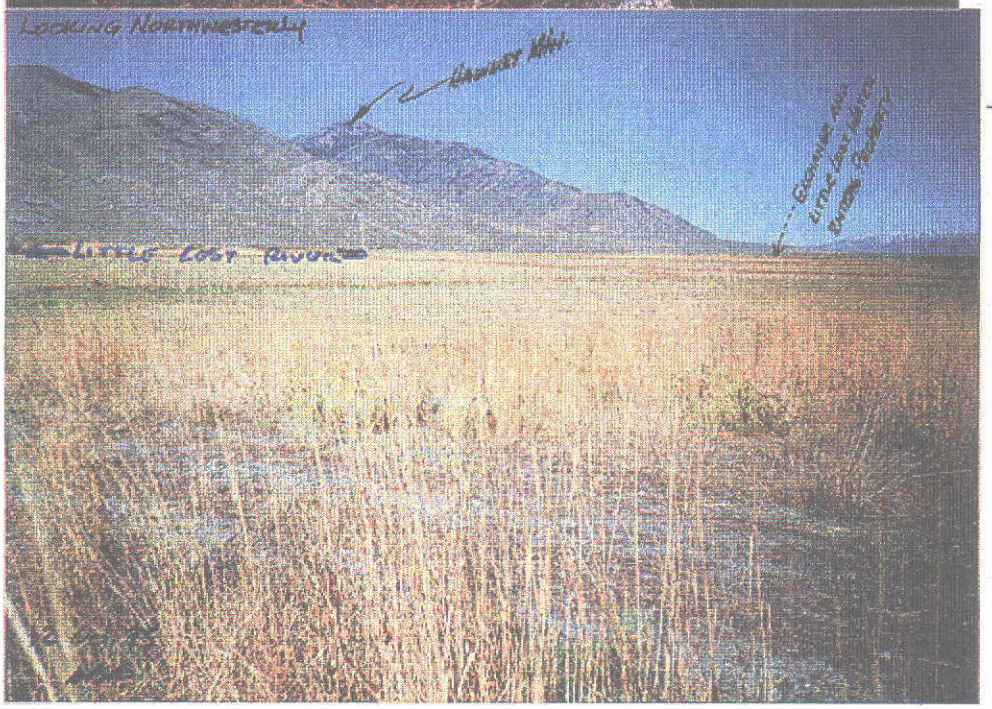


Photo 5. Shows PLACE OF USE OF BADGER CREEK AND LLR EXCHANGE WATER. THIS AREA IS ON THE NORT. SIDE OF BADGER CREEK.

PANCHERI INC.
33-00035A

Photos Taken: 12 Oct 95 ABR



Photo 1. Taken from the Little Lost River Highway at the Badger Creek Culvert. This is the Point Of Diversion from Badger Cr. An exchange diversion from the Little Lost River is also used (See Photo 4 this set) Use of Badger Creek water is exchanged for Little Lost River Right 33-00032 (Claimed as: A33-00032A).

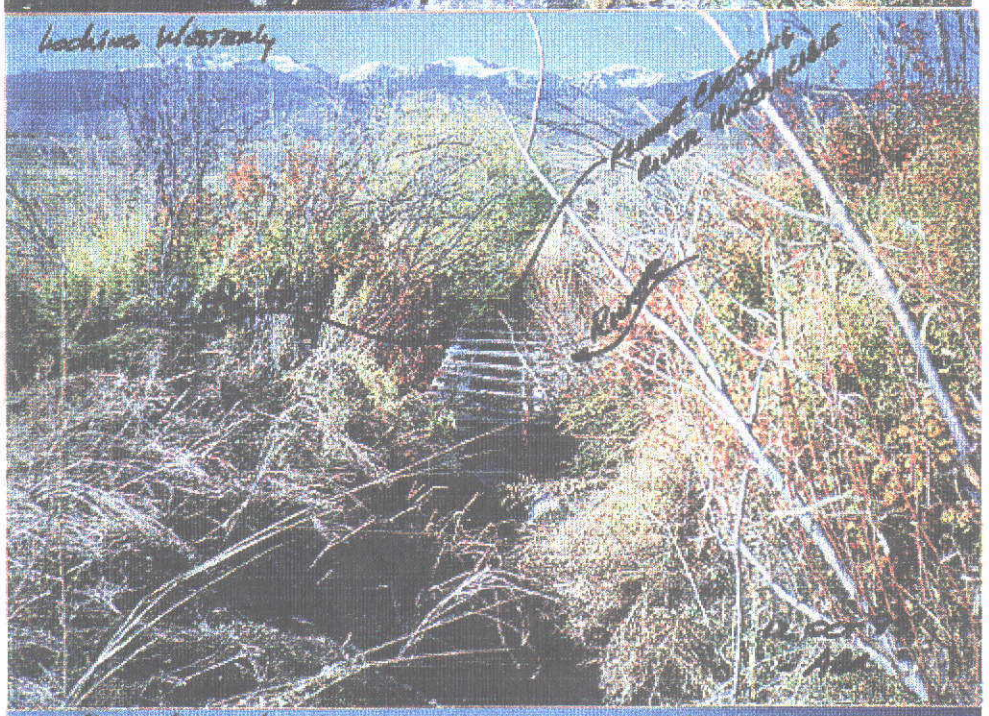


Photo 2. Old unserviceable Flume Crossing Little Lost River (Hidden in undergrowth - flowing Right to Left). This Flume carried Badger Creek and/or Little Lost River exchange water to the West side of Little Lost River. See Deer Cr. Claim A33-10119. No Longer Used.

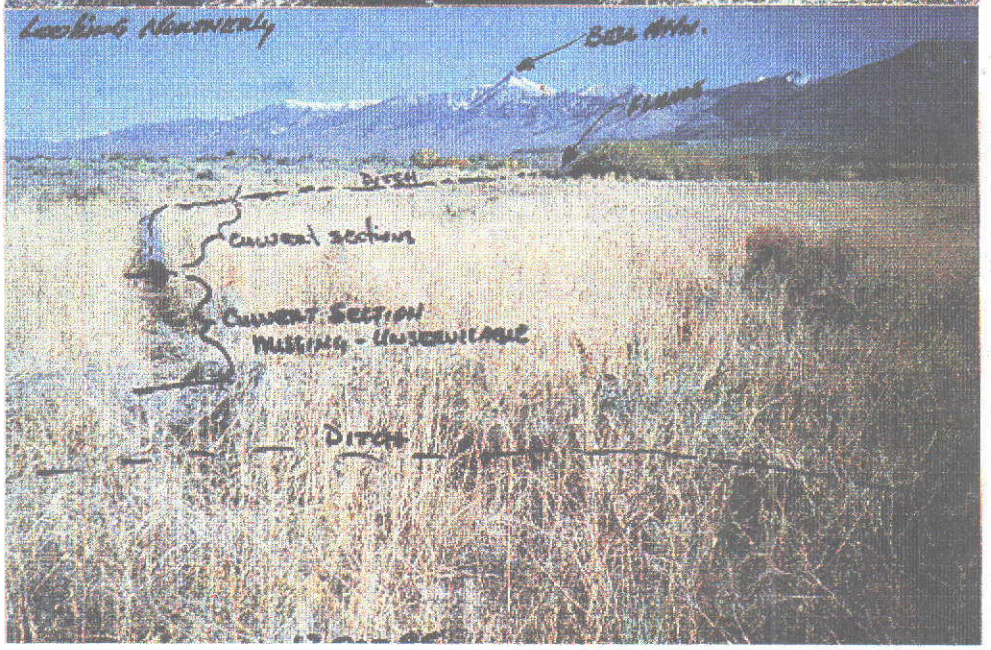


Photo 3. Shows the old ditch and culvert sections which do conveyed Badger Creek water (a Little Lost River exchange wate to the area now claimed as serviced by Deer Creek water. See A33-10119.

Pancheri Inc.
33-00035A

Photos taken

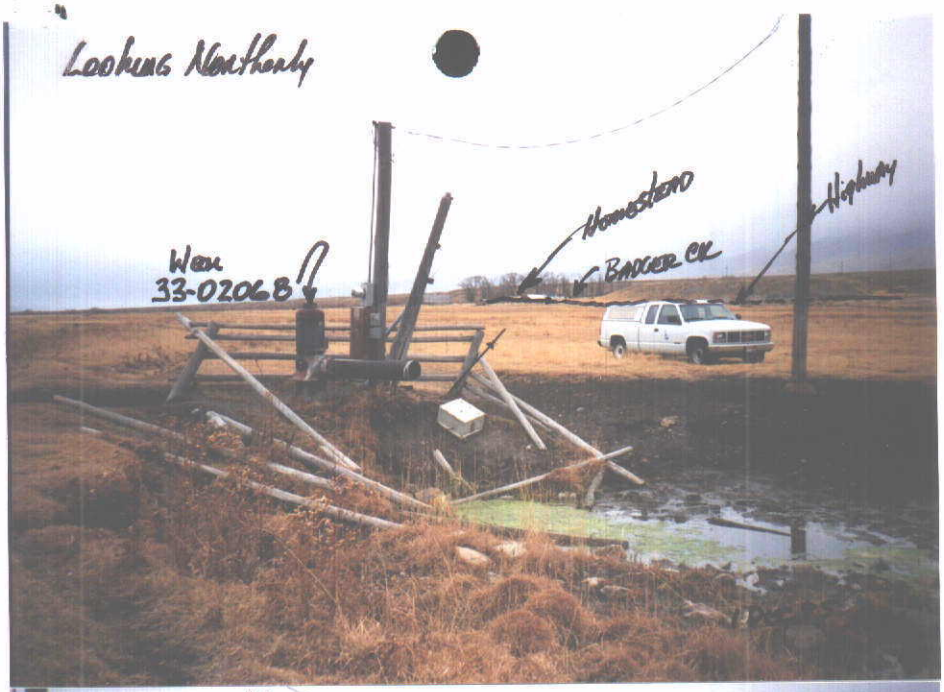


Photo 1. Well 33-02068, as of 12 Dec. 95 No Adjudication Claim has been filed. Pancheri and K. Foster (Attorney) have been informed.

This well open discharges to a ditch then flows through the Parshall Flume (in Photo 3) then on into Little Lost River (see Photos 4 and 5).

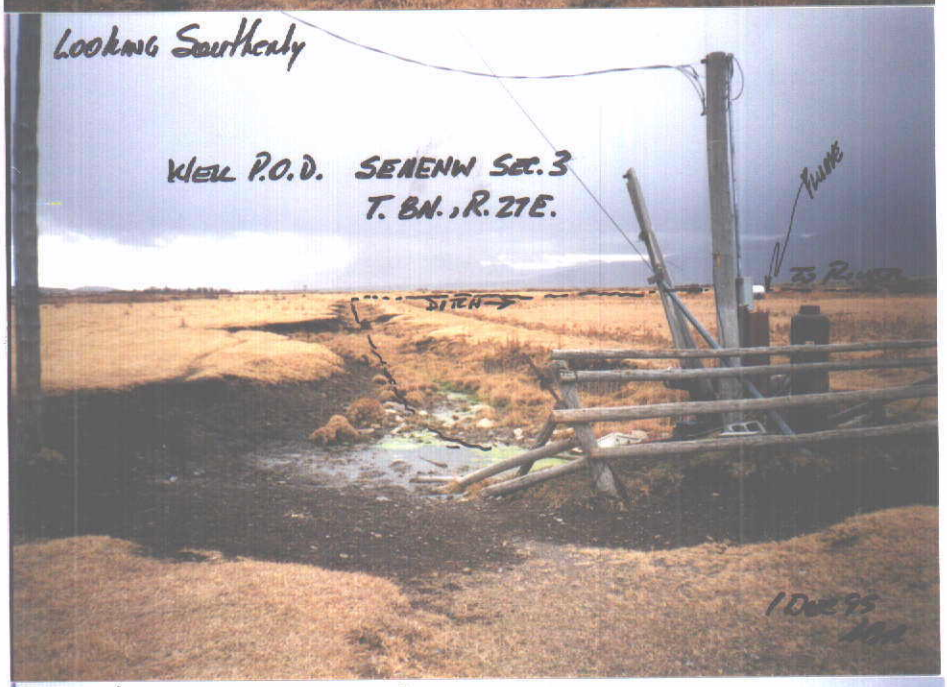


Photo 2. Looking South down the ditch to River.

Motor: GE 30 HP
SN: XGJ6874210

Pump: Fairbanks-Morse
H6H 100A
10" Open Disch.

P.O.D. SENENW Sec. 3 T. 8N. R. 27E.



Photo 3. Parshall Flume which measures well out out. Flume appears level and in good condition.

Pancheri's Badger Ck Ranch

33-02068
Well Non-Adjudication

Photos taken: 1 Dec 95 SBR



Photo 4. Point of Injection of Well 33-02068 into Little Lost River. Looking from River to Ditch.



Photo 5. Point of Injection of Well 33-02068 into the Little Lost River. Looking from Ditch to River

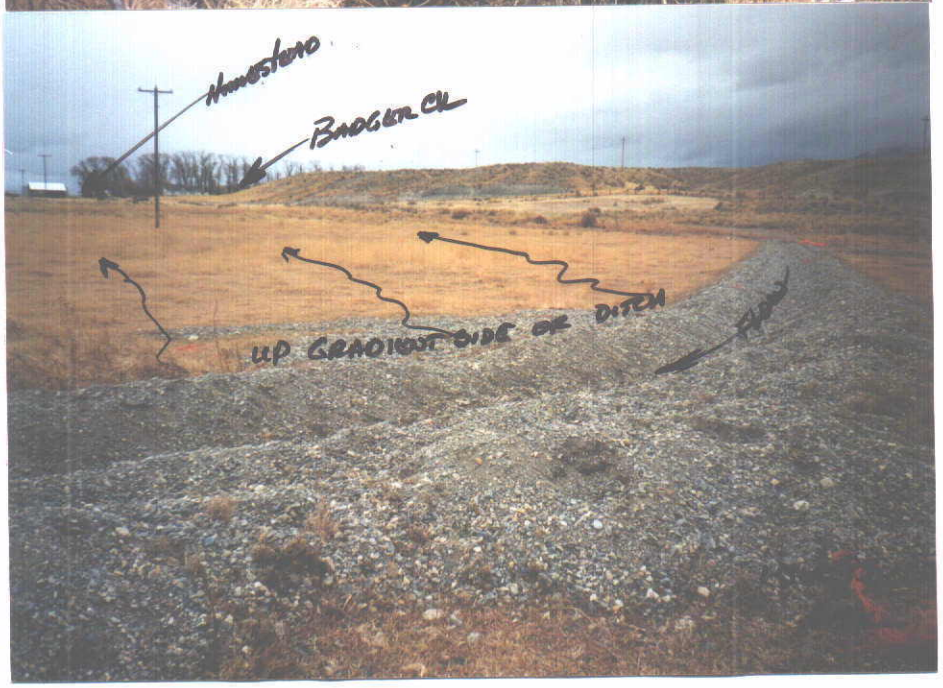


Photo 6. Shows Lower Pasture at Badger Cr. Ranch. Note Gravely Ditch.

Pancheri's Badger Cr. Ranch
A33-00032.0003SA. Non AJ 02068

Photos taken: 1 Dec 95 ABR

A33-02068

Pancheri Inc. Badger Ck. Well

10:00:42 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.07 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.00 CFS
NET TOT(X1) 599663 GAL
POS TOT(X1) 254482 GAL
NEG TOT(X1) 11633 GAL

10:04:17 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.01 CFS
NET TOT(X1) 606123 GAL
POS TOT(X1) 260942 GAL
NEG TOT(X1) 11633 GAL

SETUP NO. 1
- - - - - - - - - - - -

PIPE O.D
10.780 IN

PIPE WALL THICKNESS
0.308 IN

10:04:44 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.01 CFS
FLOW RATE 4.03 CFS
NET TOT(X1) 606929 GAL
POS TOT(X1) 261748 GAL
NEG TOT(X1) 11633 GAL

PIPE I.D
10.164 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 F/S

LINER MATERIAL
NONE

LINER SOUND VELOCITY
0.000 F/S

LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.00015000

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 F/S

FLUID VISCOSITY
1.132 CSt

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
V

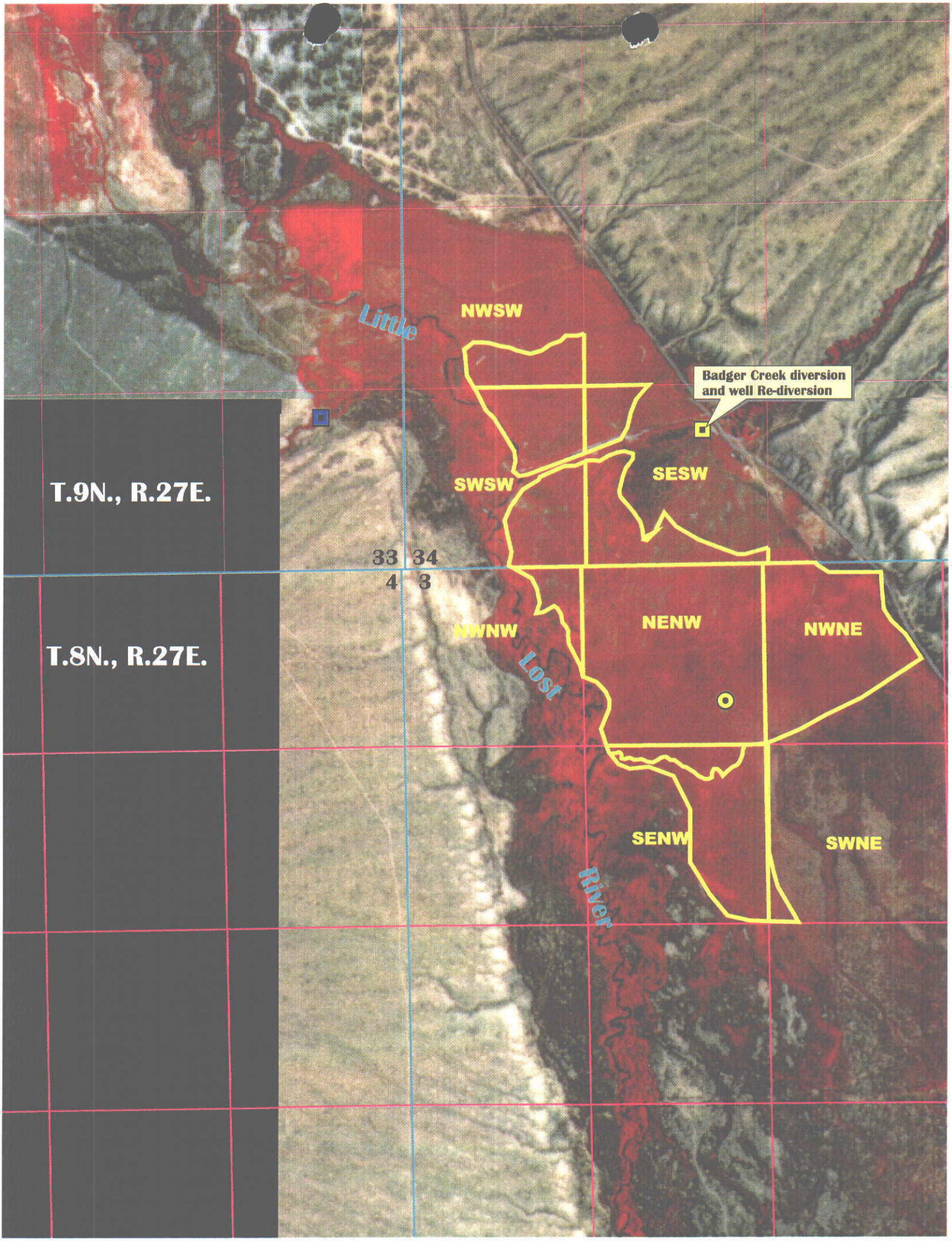
TRANSDUCER SPACING
8.830 IN
- - - - - - - - - - - -

10:06:42 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.01 CFS
NET TOT(X1) 610474 GAL
POS TOT(X1) 265293 GAL
NEG TOT(X1) 11633 GAL



07/15/96

Polysonic measurement of Pancheri Inc. well A33-02068. Measurement by Steve Garrison with Roman Pancheri attending. Photo by A. Ruberry.


Little
NWSW
Badger Creek diversion
and well Re-diversion
SWSW
SESW
T.9N., R.27E.
33
34
4
3
T.8N., R.27E.
NWNW
Lost
NENW
NWNE
SENW
SWNE
River

2002 MAY -1 AM 9:35
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	
	)	**ORDER OF PARTIAL DECREE**
Case No. 39576	)	
	)	**For Water Right 33-02068A**

On March 8, 2002, a ***Special Master's Report and Recommendation*** was filed for the above water right. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 33-02068A is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED May 1, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 33-02068A

2002 MAY -1 AM 9:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: GROUNDWATER

QUANTITY: 2.21 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

PRIORITY DATE: 01/14/1953

POINT OF DIVERSION:

T08N R27E S03 LOT 03	(SENENW)	Within Butte County
	NWSENW	(Injection)
T09N R27E S34	NESESW	(Rediversion)

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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	2.21 CFS

PLACE OF USE: Irrigation

T08N R27E S03	LOT 02	(NWNE) 24.0		SWNE	0.3
	LOT 03	(NENW) 38.0	LOT 04	(NWNW)	3.6
		SENW 11.0			
T09N R27E S34		NWSW 6.1		SWSW	17.0
		SESW 14.0			

114.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

USE OF THIS RIGHT WITH RIGHT NO. 33-00035A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

RULE 54(b) CERTIFICATE

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
)	Water Right(s): 33-02068A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 33-02068A was mailed on May 01, 2002, with sufficient first-class postage prepaid to the following:

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

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

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

ROBBIN GLATZ
Chief Deputy Clerk

33-2068A

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

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

In Re SRBA)
)
Case No. 39576)
)

Subcase(s): 33-00024 et al
Pancheri Inc

ORDER SETTING HEARING

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

☒ Status Conference

☐ Settlement Conference

☐ Scheduling Conference

Date: Dec. 20, 2000 11 am

Location: SRBA Court phone

DATED: 10/26/2000.

Brigette Bilyeu

BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

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

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

Kent Foster

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

Jean Hansen
Deputy Clerk

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2000

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

RE: Application for Transfer #5797 (33-10997) and overlapping rights (33-00035A, 33-02068A) and Notice of Administrative Proceeding (NAP)

Dear Mr. Foster:

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

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

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

Respectfully,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA	)	**Water Rights: 33-10997 & OVERLAPPING RIGHTS 33-00035A, 33-02068A**
Case No. 39576	)	**NOTICE OF ADMINISTRATIVE PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

[] Substitution of Party (waiting for documentation)

[] Substitution of Party/Split Water Right

[X] I.C. § 42-222 transfer **5797**

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

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

DATED: 14 Aug 2000

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   PANCHERI INC
   C/O HOLDEN KIDWELL HAHN & CRAPO
   PO BOX 50130
   IDAHO FALLS ID 83405

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

4. One copy to:
   Each party in the subcase, or attorney of record
   KENT FOSTER
   (SEE ABOVE)

5. One copy each to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

6. One Copy to:
   United States Dept of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Jennifer Crabtree
Signature of person or attorney mailing the form

RECEIVED
APR 17 2000
Department of Water Resources
Eastern Region

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

In Re SRBA

Case No. 39576

A. Subcase 33-02068A

(Insert water right number)

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Pancheri, Inc.
Address: HC 65 Box 2104 Howe, ID. 83244
Name: c/o Jerry Pancheri, President
Address:
Name:
Address:
Name:
Address:

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

1. ☐ **Name and Address**
   Should be: _____

2. ☐ **Source**
   Should be: _____

3. ☐ **Quantity**
   Should be: _____

4. ☐ **Priority Date**
   Should be: _____

5. ☐ **Point(s) of Diversion**
   Should be: _____

6. ☐ **Instream Flow Description**
   Should be: _____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be: _____

9. ☒ **Place of Use**
   Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F. **VERIFICATION** (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

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

(Signature of person filing objection)

(Attorney signing in representative capacity)

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

JACQUELINE L. SIMMONS NOTARY PUBLIC STATE OF IDAHO

Jacqueline L. Simmons
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: Pancheri, Inc.
Address: HC 65 Box 2104 Howe, ID. 83244
Name: c/o Jerry Pancheri, President
Address:
Name:
Address:
Name:
Address:

3. Copies to:

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

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

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

Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02068A

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

SOURCE: GROUNDWATER

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

QUANTITY: 2.21 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

PRIORITY DATE: 01/14/1953

POINT OF DIVERSION:

T08N R27E S03	LOT 3 (SENENW)		Within BUTTE County
	NWSENW	(INJECTION)	
T09N R27E S34	NESESW	(REDIVERSION)	

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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-31	2.21 CFS

PLACE OF USE: IRRIGATION — Within BUTTE County

T08N R27E S03	NWNE 24	SWNE 1	NENW 38		NWNW 4
	SENW 18				
T09N R27E S34	NESW 8 BLM	NWSW 6	SWSW 9		SESW 14
	SWSE 1 BLM				

123 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

Issue:

Places of use on BLM
→ Farming on public land is not authorized

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02068A (CONT)

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:33-02068B AND 33-10997.

RECEIVED
FEB 2 2 2000
Department of Water Resources
Eastern Region

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

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

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

Name and New Address of Claimant:

Pancheri, Inc.
C/O Jerry Pancheri, President
HC 65, Box 2104
Howe, ID 83244

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

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

Dated: 2/15/00

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-15, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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

2. One Copy to:
   Claimant or attorney of record:
   Pancheri, Inc.
   C/O Jerry Pancheri, President
   HC 65 Box 2104
   Howe, ID 83244

3. One Copy to:
   Each party in the subcase or attorney of record:
   Kent W. Foster
   Holden, Kidwell, Hahn & Crapo
   P.O. box 50130
   Idaho Falls, ID 83405

4. One Copy to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

5. One Copy to:
   United States Dept of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Sandy Egbert
Signature of person or attorney mailing the form

RIGHT NUMBER: 33-02068A

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

SOURCE: GROUNDWATER

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

QUANTITY: 2.21 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

PRIORITY DATE: 01/14/1953

POINT OF DIVERSION:
T08N R27E S03 LOT 3 (SENENW) Within BUTTE County
NWSENW (INJECTION)
T09N R27E S34 NESESW (REDIVERSION)

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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-31	2.21 CFS

PLACE OF USE:

IRRIGATION Within BUTTE County

T08N R27E S03	NWNE 24	SWNE 1	NENW 38	NWNW 4
	SENW 18			
T09N R27E S34	NESW 8	NWSW 6	SWSW 9	SESW 14
	SWSE 1			

123 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

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

RIGHT NUMBER: 33-02068A (CONT)

OTHER PROVISIONS: (CONT)

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:33-02068B AND 33-10997.

(R)

A33-02068 A
PANCHERI INC
C/O JERRY PANCHERI
HOWE ID 83244

☑ PANCHERI NEEDS TO FILE THIS CLAIM

☑ DO THIS CLAIM WITH THE BADGER CREEK CLAIM AND LITTLE LOST RIVER AS AN EXCHANGE SYSTEM.
A33-00032A AND A33-00035A.
SUPPLEMENTAL AND EXCHANGE USE.

☐ NEEDS EXCHANGE REFERENCE IN CLAIM

(✓) THIS CLAIM NEEDS TO BE FILED.
INFORMED PANCHERI & K. FOSTER 4 DEC. 95.

CLAIM AND FEE RECEIVED 8 JAN 96 (second time)

▣ SEE A33-00035A FOR ASCS PHOTO FOR DECREED LANDS COMPARISON.

Backside each other

December 2, 1999

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-02068A

PANCHERI INC
C/O JERRY PANCHERI PRES
HOWE ID 83244

Daytime Telephone Number:
Evening Telephone Number:

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

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

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

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

DATE: 12/21/99 **SIGNATURE:** Rod Pancheri

Please print your name: _____

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

To: File **A33-02068A**, A33-00035A
Fr: Bryce A. Contor
Date: 12/1/1999

Re: BLM trespass
Conveyance Loss

BLM Trespass

Parts of historical POU of these rights is trespass on BLM land. Al and I discussed possibility of recommending this trespass acres. While BLM would likely object, this provides an opportunity to transfer acres to other POU.

In reviewing the files, however, I came across a letter from Deena Teel of BLM to Jerry Pancher dated 7/6/1999. Pencilled on the top of the letter is the note "10/1/99 Talked w/ Jerry Pancher. Omit BLM lands on recommends."

Based on the above, I left the recommendations only on Pancheri lands.

Conveyance Loss

We have been including a remark about conveyance loss on exchange wells, including right 33-02068B which is diverted out of the same well as 33-02068A. However per note in CVR, this exchange has not been historically charged a conveyance loss as the point of injection is downstream of the point of rediversion. While the CVR does not mention it, no intervening diversions exist that might otherwise be injured by this arrangement.

Therefore, no remark about conveyance loss is attached to these recommendations.

10/8/99 0900

Spoke to Jerry Pinkerton

Re: Badger Creek 'Pinor Rights' and uses.

Appears we need a 'Paper-Link' for historic exchange practices. — He's OK with it; Do it and send for sign.

SD-0420-2 Idaho Department of Water Resources Date: 10/04/99
MODIFY RECORD Modify Comment Time: 11:08:37

Water Right Number: R33-02068A

Comment Date: 10/ 4/1999 User ID: ARUBERRY

Subject: SPLIT FOR ADJUDICATION

RIGHT IS SPLIT FOR ADJUDICATION TO ACCURATELY REPRESENT USE AS:
A33-00268, 4.85 CFS, 250 AC.
A33-02068A, 2.21 CFS, 114 AC. (BADGER CK RANCH)
A33-02068B, 2.64 CFS, 136 AC. (EXCHANGE USE)
---------- NO CHANGE OF OWNERSHIP.
TOTAL 4.85 CFS, 250 AC.
RIGHT IS CLAIMED IN-FULL. PAID UNDER RECEIPT NO. E021823.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

7250

9/30/99 No Response from Pancheri on Rest of 10/1/99 Telecon w/ Jerry Pancheri omit BLM Lands on Recommend.

July 6, 1999

Mr. Jerry Pancheri
Howe, Idaho 83244

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

Dear Mr. Pancheri:

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

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

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

} 3 Gr

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

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

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

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

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

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

T.7N, R.29E, S.30 NWSW (approx. 8 acres)
T.7N, R.29E, S.30 SWSW (approx. 7 acres)
T.7N, R.29E, S.30 NESW (10 acres on BLM - the rest is private)

Even though it is evident that they are not being farmed, the places of use in the NWSW and SWSW will be transferred off BLM onto private land. For the place of use in the NESW, your water right will be split so that BLM holds title to the portion on public land and you will hold title to the portion on private land. Since the BLM parcels are smaller than the customary 40 acre tracts used to describe places of use, the exact description of the BLM tracts will need to be further described in the remarks section of each water right. For example, the remarks on BLM's water right will state something like, "The place of use at T.7N, R.29E, S.30 NESW only includes 10 acres of federal public land at T.7N, R.29E, S.30 N½NWNESW and N½NENESW". The remarks on your water right will state something like, "The place of use at T.7N, R.29E, S.30 NESW does not include federal public land".

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

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

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

Sincerely,

Deena Teel

Deena Teel
Ecologist

A33-02068

Panametrics, Inc. Ranger Ck. Loop, Wash.

10:00:42 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.07 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.00 CFS
NET TOT(X1) 599663 GAL
POS TOT(X1) 254482 GAL
NEG TOT(X1) 11633 GAL

10:04:17 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.01 CFS
NET TOT(X1) 606123 GAL
POS TOT(X1) 260942 GAL
NEG TOT(X1) 11633 GAL

SETUP NO. 1
- - - - - - - - - - - -

PIPE O.D
10.780 IN

PIPE WALL THICKNESS
0.308 IN

10:04:44 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.01 CFS
FLOW RATE 4.03 CFS
NET TOT(X1) 606929 GAL
POS TOT(X1) 261748 GAL
NEG TOT(X1) 11633 GAL

PIPE I.D
10.164 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 F/S

LINER MATERIAL
NONE

LINER SOUND VELOCITY
0.000 F/S

LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.00015000

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 F/S

FLUID VISCOSITY
1.132 CSt

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
V

TRANSDUCER SPACING
8.830 IN
- - - - - - - - - - - -

10:06:42 07-15-96
- - - - - - - - - - - -
Min. Rate 0.00 CFS
Max. Rate 4.10 CFS
Avg. Rate 4.02 CFS
FLOW RATE 4.01 CFS
NET TOT(X1) 610474 GAL
POS TOT(X1) 265293 GAL
NEG TOT(X1) 11633 GAL



07/15/96

POLYSONIC MEASUREMENT OF PANCHENI RANCH WELL A33-02068. MEASUREMENT BY STEVE GARRISON WITH ROMAN PANCHENI ATTENDING. PHOTO BY A. RUBERRY.

Form 42-1409(10)-1
5/89

Date Received 1-9-96-Jo

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME TO FILE ADJUDICATION CLAIM(S)

RECEIVED
JAN 12 1996
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Pancheri, Inc. (208) 767-3419
Name of Claimant Phone Number

HC-65, Box 2104 , Howe ID 83244
Mailing Address City State Zip

Butte
County(s) where place of use is located Date claim originally due

A33-02068
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Several dozen water rights claim where filed on behalf of Pancheri, Incfor both surface and groundwater rights and this appears to be a right for which Pancheri, Inc. did not have documentation and hence was over looked.

Claimant requests an extension to , 19 96

Signature

January 8 , 19 96
Date of request

Title Attorney for Pancheri, Inc.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [denied] for the following reasons:

Accept claim and waive late fee.

and if granted the filing deadline is extended to March 1 19 96

Signed this 19 day of January, 19 96

Director or his designated agent

David B. Shaw
Adjudication Bureau Chief

RECEIVED
JAN 24 1996
Department of Water Resources
Eastern District Office

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

From: DWR70::ECARLSEN 17-JAN-1996 17:20:43.17
To: DWR03::DSHAW
CC: ARUBERRY,ECARLSEN
Subj: RE: Pancheri Extension Request

Hello Dave,

After reviewing this matter with Allen Ruberry, we concluded that one could say failure to file was an oversite. The need to file was probably shielded by a few of factors. First the well is listed as a second point of diversion on permit 33-07198, which is not subject to the SRBA. Second, license 33-02068 is a supplemental right for land already covered by decreed rights from Little Lost River and Badger Creek. I suspect the majority of time these two sources provide sufficient water to irrigate the property. And finally a legal description close to the well location is one of the eleven points of diversion listed on the majority of his groundwater notices. The permit didn't required a notice and by including the legal description on most of his groundwater notices he probably thought the well was covered. Based on these considerations my recommendation would be to accept the notice.

My inclination is to waive the late fee. Along with the above circumstances, once Allen identified the need to file a notice on the license Mr. Foster acted quickly. It does not strike me as a situation where Pancheri refused or procrastinated in filing the claim.

Hope this helps

Ernie

Fo
5/8 Dave Shaw

Date Received 1-9-96-Jo

State of Idaho
Department of Water Resources
UEST FOR EXTENSION OF TIME
FILE ADJUDICATION CLAIM(S)

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Mailing Address City State Zip

Butte
County(s) where place of use is located Date claim originally due

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Claimant requests an extension to _____, 19 96

Signature January 8, 19 96
Date of request

Title Attorney for Pancheri, Inc.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [_____ granted] [_____ denied] for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent

RECEIVED
JAN 15 1996

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

COPY

DECEMBER 28, 1995

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

RE: NOTICE OF CLAIM A33-02068; PANCHERI INC.

Dear Kent:

Per our discussion this date, I am returning your check #05215 in the amount of $100. As I explained, the late fee will be waived where in cases of multiple filing, one was overlooked. However, please complete the form "Request for Extension of Time...". Return this form complete with a check for $50. I will return to you a receipt and your copy of the "Extension Request".

Sincerely,

A. B. Ruberry
Senior Water Rights Agent

ABR:jt

Enclosure

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 33-02068

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent A. RUBERRY Date 27 DEC 95

Contact Person(s) KENT FOSTER, ATTORNEY FOR PANCHORI INC.

Nature of Contact REGARDING FILING AND LATE FEES RECEIVED TO FILE AN ADJUDICATION CLAIM FOR 33-02068 - PREVIOUSLY OVERLOOKED BY PANCHORI AND ATTORNEY DURING THE FILING PERIOD.

Substance of Communication CALLED KENT FOSTER ABOUT 1:20 P.M. INFORMED HIM THAT IN OTHER CASES WHERE MULTIPLES OR CLAIMS WERE FILED AND LATER ONE WAS FOUND UNFILED THAT IT HAS BEEN STANDARD PRACTICE TO WAIVE THE LATE FEE ($50.00). ON THIS PREMISE I WAS RETURNING HIS CHECK FOR $100.00 AND ENCLOSING A "REQUEST FOR EXTENSION OF TIME". HE COULD THEN RETURN THE CLAIM FORM WITH A CHECK FOR $50.00 (ACREAGE PREPAID UNDER ANOTHER CLAIM) AND THE "REQUEST FOR EXTENSION OF TIME." KENT AGREED AND THANKED ME - MAILED 28 DEC. 95.

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

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, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

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

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

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

December 19, 1995

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

Gentlemen:

We are enclosing with this letter, for filing, a Notice of Claim to Water Right A33-02068 on behalf of Pancheri, Inc. We have also enclosed our check in the amount of $100 for the filing fee. As we understand it, the filing fee is $50, the late fee is $50, and all of the acreage fees have previously been paid. If there is anything else that needs to be done with respect to this claim at this time, please contact us and we will be happy to see that whatever else might be necessary is accomplished.

Very truly yours,

Kent W. Foster

Kent W. Foster

Enclosure
G:\WPDATA\KWF\7548\IDWR1219.LTR:sjw

1-9-96 - check # 58350
rec'd w/claim was in the amt. of 50 - not $100. Extension request sent to Dane Shaw. Will likely be approved.

RECEIVED
DEC 20 1995
DEC 15 1995
Eastern Service Office

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. Pancheri, Inc.
RE: 33-02068 NOT SRBA CLAIMED

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Al Rubbery Date 4 Dec. 95

Contact Person(s) Kent Foster, Attorney for Pancheri Inc.

Re: Discussion Documentation w/ J. Pancheri, this date.

Nature of Contact Discuss Pancheri claims - specifically 33-02068, And, the request of a meeting to discuss Adj. Claim Recommendations.

Substance of Communication Apparently Jerry called Kent to inquire into my query regarding 33-02068 not being SRBA filed. Apparently this 1953 (priority) license was overlooked. We discussed it's historic use and lands at Badger Creek where it is licensed. Kent requested a copy of the License so he could study it and file a license.

6/9/94

COMMUNICATION DOCUMENTATION

No SRBA claim

Claim No. 33-02068

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent A. Ruberry Date 4 Dec. 95

Contact Person(s) Jeremy Pancheri - Pres. Pankhurst, Inc.

Nature of Contact Returned my call requesting a field exam on the above referenced well.

Substance of Communication Jenny called to inquire about the nature of my call from 30 Nov 95 when I spoke to Rod Pancheri. I told Jenny I had visited the above referenced well (referred to as Badger Ck well) to take photos, data, and review the service area (P.O.U.). I ask Jenny if there was some reason why this well had not been enjoined to the Adjudication. He was unaware it had not been, but expressed a desire to do so. We discussed the well's physical location and its use as an exchange source for Little Lost River water and Badger Creek.

He also requested, again, that both he and Kent Foster visit to discuss the recommendations prior to the Director's Report. I agreed we would do that.



Photo 4 Point of Injection of Well 33-02068 into Little Lost River. Looking from River to Ditch.



Photo 5 Point of Injection of Well 33-02068 into the Little Lost River. Looking from Ditch to River.

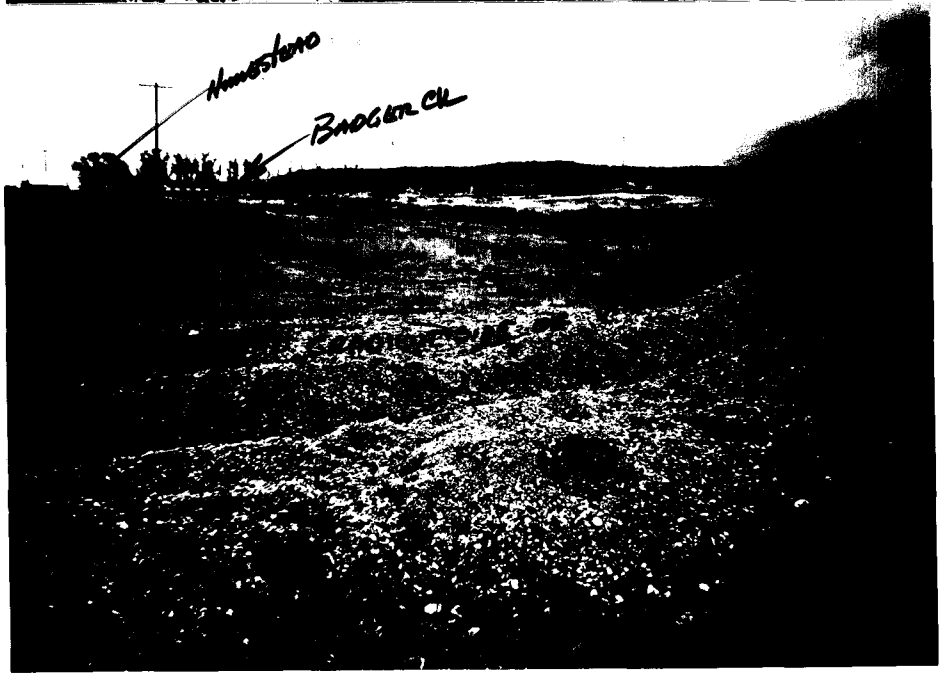


Photo 6 Shows Lower Pasture at Badger Ck Ranch. Note Gravely Ditch.

Panchenis Badger Ck Ranch
T33 R32 S35SA. NRN MS 02068

Photos taken: 1 Dec 95 ABa

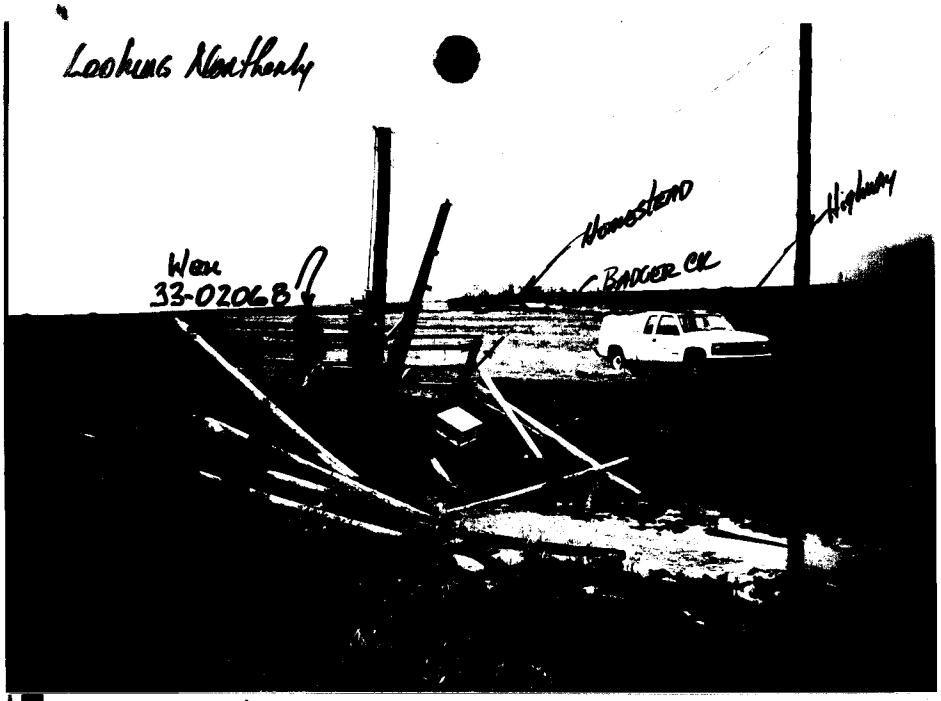


Photo 1. Well 33-02068, as of 12 Dec. 95 No Adjudication Claim Has been filed. Panchetti and K. Foster (Attorney) have been informed.

This well open discharges to a ditch then flows through the Parshall Flume (in Photo 3) then on into Little Lost River (See Photos 4 and 5).

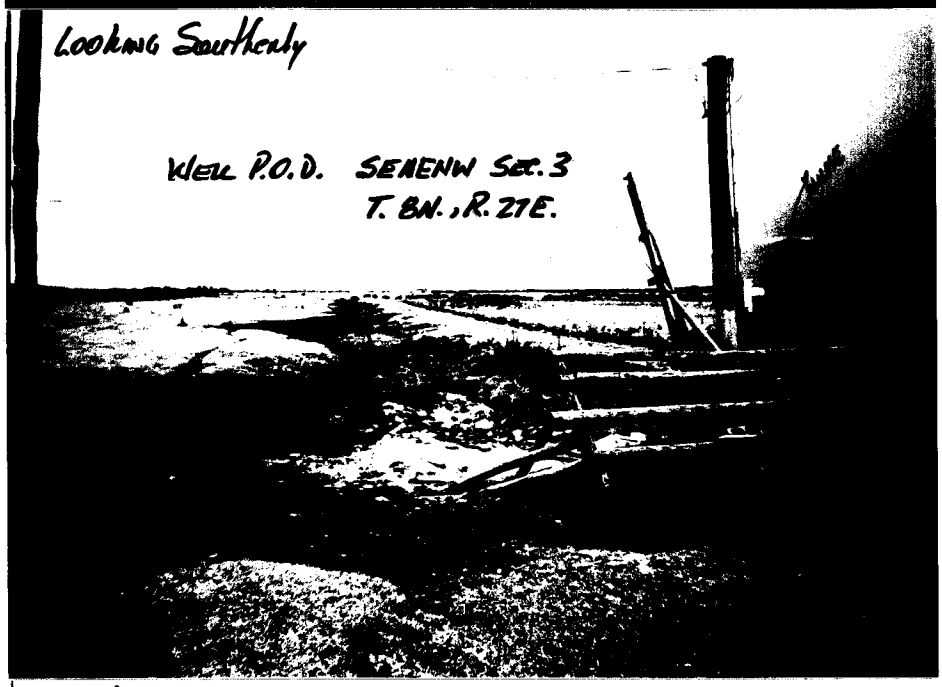


Photo 2. Looking South down the ditch to River.

Motor: GE 30 HP
SN: XGJ6874210

Pump: Fairbanks-Morse
H10H 10DA
10" Open Disch.

P.O.D. SENENW Sec. 3 T. 8N. R. 27E.



Photo 3. Parshall Flume which measures well output. Flume appears level and in good condition.

Panchetti's Badger Ck Ranch

33-02068
Well Non-Adjudication

Photos taken 12 Dec 95 SBR

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 33-02068 (was 33)

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent L RUBERRY Date 30 NOV. 95

Contact Person(s) CALLED FOR JERRY LANCASTER - SPOKE TO SON ROD

APPARENTLY JERRY IS OUT OF TOWN FOR A FEW DAYS

Nature of Contact

Substance of Communication REQUESTED PERMISSION TO VISIT BADGER CREEK RANCH FOR FIELD EXAMINING THE WELL (33-02068) WHICH HAS NOT BEEN ENJOINED TO THE ADJUDICATION BUT SHOULD BE. I WILL DISCUSS THIS WITH JERRY AND KENT FOSTER UPON JERRY'S RETURN.

ROD SAID A VISIT WAS OK

SCHEDULED VISIT FOR 1 DEC. 95

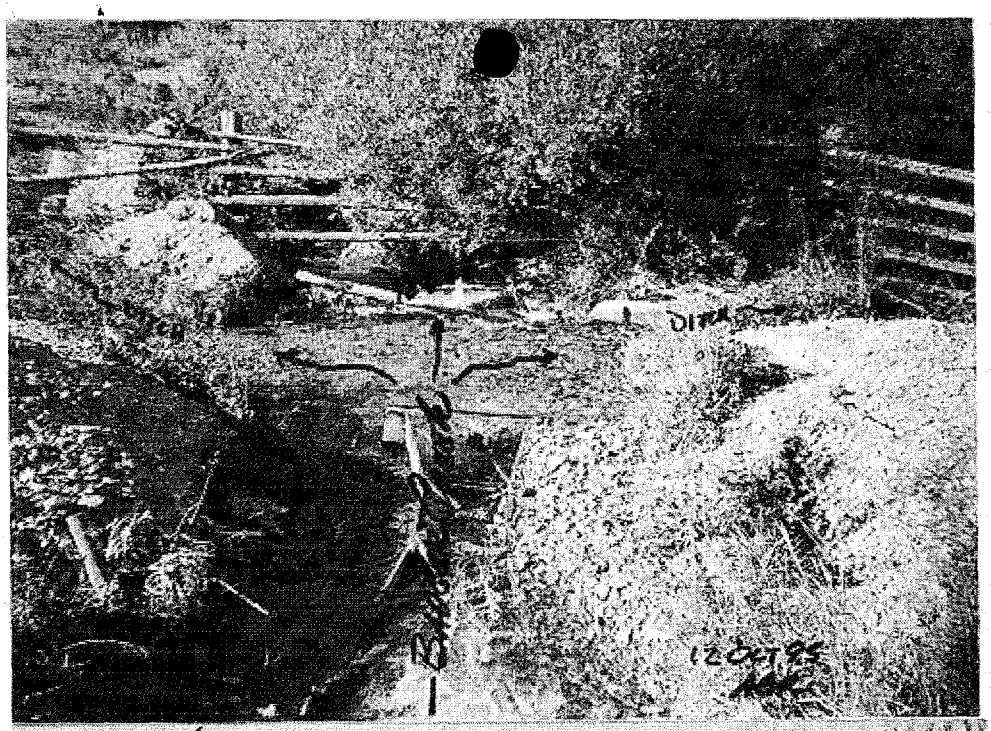


Photo 1. Taken from the Little Lost River Highway at the Badger Creek culvert. This is the Point of Diversion from Badger Cr. An exchange diversion from the Little Lost River is also used (See Photo 4 this set) Use of Badger Creek water is exchanged for Little Lost River Right 33-00032 (Claimed as: A33-00032A).



Photo 2. Old unserviceable flume crossing Little Lost River (Hidden in undergrowth - flowing right to left). This flume carried Badger Creek and/or Little Lost River exchange water to the West side of Little Lost River. See Deer Cr. Claim A33-10119. No longer used.

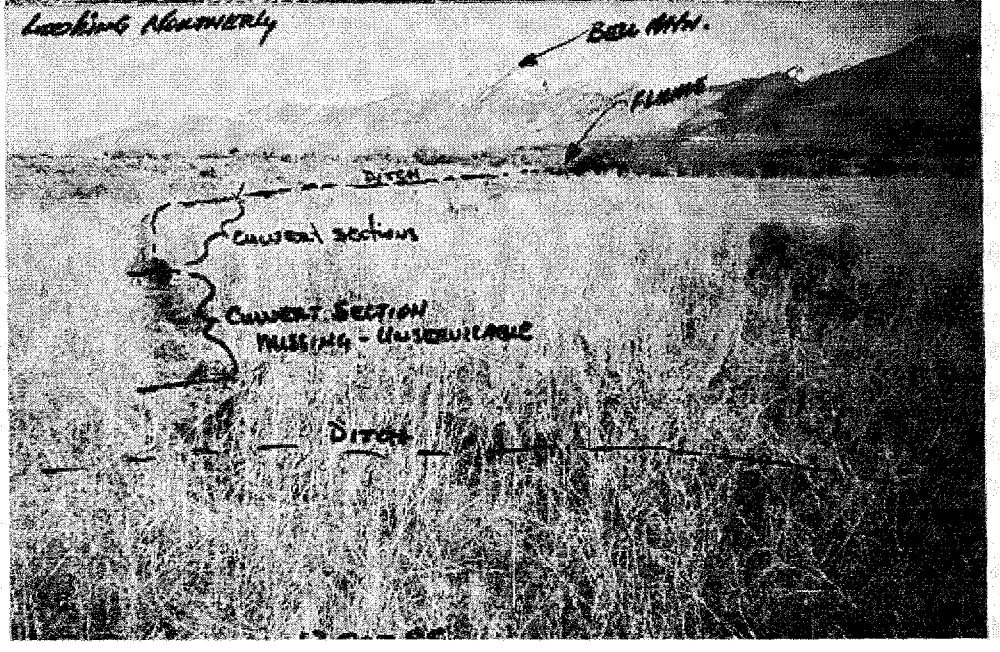


Photo 3. Shows the old ditch and culvert sections which conveyed Badger Creek water (a Little Lost River exchange water) to the area now claimed as serviced by Deer Creek water. See A33-10119.

Pancheri Inc.
33-00035A

Photos taken

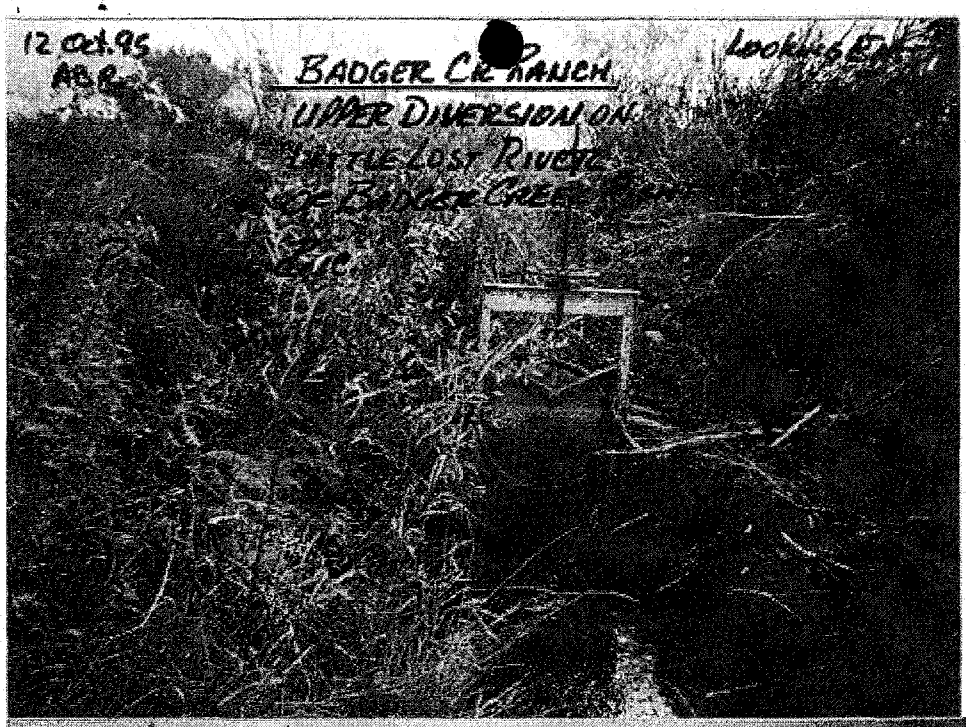


Photo 4. Shows Little Lost R. EXCHANGE DIVERSION FOR TH BADGER CREEK DECREED RIGH

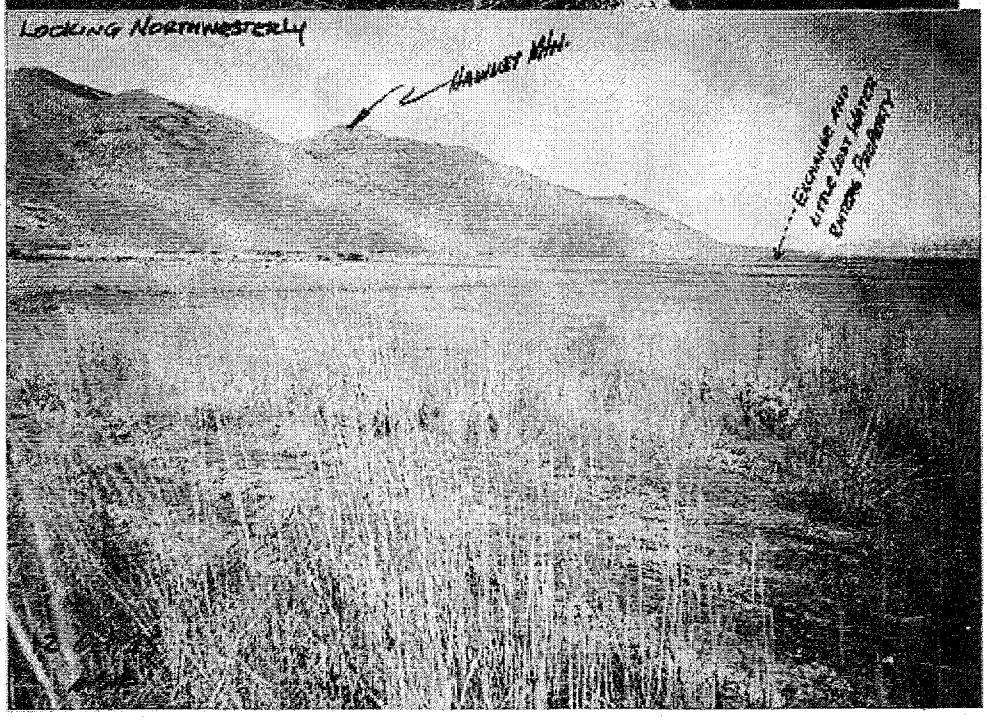


Photo 5. Shows PLACE OF USE OF BADGER CREEK AND LLR EXCHANGE WATER.
THIS AREA IS ON THE NORT SIDE OF BADGER CREEK.

PANCHERI INC.
33-00035A

Photos Taken: 12 Oct 95 ABR

A33-02068

CLAIM NO(S). A33-00035A, A33-00032A

DATE: 12 Oct 95 T 9N. R 27E.

SOURCE OF DOC: ASCS

SIGNATURE:

BADGER CREEK UPPER DIVERSION - EXCHANGE WITH LITTLE LOST RIVER

NO IRRIGATION TO THESE FIELDS

OLD FLUME CROSSING LITTLE LOST RIVER - UNSERVICABLE

DITCH UNSERVICABLE AT THIS LOCATION

R. 27E.

NESW Sec. 34

~~STATE OF IDAHO~~ BLM Land

BADGER CREEK

POINT OF DIVERSION

DEER CREEK

T. 9N.

T. 8N.

33 | 34

4 | 3

LOT 4 37.94

LOT 3 38.26

LOT 2 38.20

LOT 1 39.20

PAST. 23.2

PAST. 25.0

POINT OF DIVERSION WELL A33-02068

SPRING

POND

DITCH

PARSHALL FLUME

POINT OF INJECTION

9 | 10

Little Lost River
DIVERSION A33-00032A

A33-00035A, 00032A
12 Oct 95 9N. 27E.
ASCS

NO DISCHARGED
WATER FROM
CLAIMED ZONE

R. 27E.

BADGER CREEK
POINT OF DIVERSION

NO DISCHARGED
WATER FROM
CLAIMED 5.0 AC

T. 9N.
T. 8N.

33 | 34
4 | 3

PAST. 23.2

POINT OF DIVERSION
WELL A33-02068

PAST. 25.0

PAST. 16.4

DITCH

PARSHALL FLUME

POINT OF INJECTION

4 | 3
9 | 10

LEGEND

23 ACREAGE (DOT COUNT) ACTUAL

PARCELS AS [illegible] AC.)
CLAIMED. NOT IRRIGATED

IDAHO DEPT. OF WATER RESOURCES
EASTERN REGION

CONVERSATIONAL MEMORANDUM
DATE: 10 Oct 1999 PAGE: 1 OF _____

CLAIM NUMBER: BADGER CK, A33-00032A, 33A, 35A, 02066 et al

NAME OF PARTY: Jerry Pankhonk, Pres. Pankhonk Inc.

EMPLOYEE: Al Rubenty

RE: TELECON w/ Jerry Pankhonk @ 8:15 A.M.
CALLED Jerry THIS A.M. TO DISCUSS CLAIMS ON BLM LANDS AT BADGER CREEK. SEVERAL DISCUSSIONS HAVE MENTIONED THESE LANDS: NE SW Sec. 34, 9N 27E AND SW SE Sec 34 T9N R27E, BOTH OF WHICH ARE LISTED AS OWNED BY BLM.
BLM HAS BEEN CONTACTED BY Mr. PANKHONK RE: THESE LANDS - FINAL OUTCOME - PANKHONK INC. MUST QUIT RANCHING THESE LANDS. DITCHES HOWEVER CAN REMAIN IN USABLE CONDITION — RE: BLM LETTER 6 Jul 1999 DONNA TOOL
BOTH ABOVE REF PARCELS ARE CLAIMED ON THE MAIN PANKHONK CLAIMS. CLAIMS (≈ 87) ARE TOO NUMEROUS TO AMEND — PER Jerry Pankhonk, THIS DATE, DELETE FROM RECOMMENDED LANDS LIST ON ALL CLAIMS.
MAYBE ACRES CAN BE TK'D OFF WHERE ACRES ARE NEEDED.

AB Rubenty

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)

April 28, 1994

RECEIVED
APR 29 1994
Department of Water Resources
Eastern District Office

Mr. Dave Carlson
Water Right Agent, Adjudications
IDAHO DEPARTMENT OF
WATER RESOURCES
900 N. Skyline
Idaho Falls, Idaho 83402-1718

RE: SRBA Claim No. A33-10119 Pancheri, Inc.

Dear Mr. Carlson:

You wrote to our client, Pancheri, Inc., on February 14, 1994, requesting evidence of priority for SRBA Claim No. A33-10119. Mr. Pancheri has investigated this matter and has discovered some interesting information, but the matter needs additional work.

We will try to explain what has been learned and then we will be attempting to obtain more information. ~~Pancheri, Inc.~~ bought the land from Hartmann Land and Livestock in 1989, and used the Deer Creek water in the existing ditch system on the west side of Little Lost River in the manner they were told it had always been used that summer and in 1990. In 1991, Harold Jones and Charles Mullins came to the place and ordered Pancheris to stop using Deer Creek water. THIS HAS OVER ROADS THAT HAD BEEN MADE w/o BURGET OF PERMITS

Mr. Pancheri has been unable to obtain much information from Mr. Hartmann. He was however able to talk recently to a former foreman for Hartmann Land and Livestock who irrigated the property from 1978 through 1983. His name is Eugene Van Wagner, and his affidavit is enclosed.

As Mr. Pancheri understands the prior use made and observed by Van Wagner, Deer Creek water was used physically, and through exchange, on both sides of the river and Badger Creek water was used in the same way. The old flume, by means of which water could be taken across the river in either direction is still there. It has the appearance of having been there a long time.

State of Idaho
License and Certificate of Water Right

Water License No. G-23549 Amount 4.85 c.f.s.

Water District No. Priority January 14, 1953

THIS IS TO CERTIFY that ANDREW D. LITTLE of Howe, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated January 14, 1953; that Permit No. G-23549 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.85 second feet, was issued thereunder on August 25, 1958; showing that said works were completed on the 4th day of April, 1958; and that on the 4th day of April, 1958, ANDREW D. LITTLE of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-23549 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6404, on the 25th day of August, 1958;

The right hereby confirmed dates from January 14, 1953;

The Point of Diversion is located

in the NE ¼ NW ¼, Sec. 3, Tp. 8 N. R. 27 E., B. M. County Butte

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.85 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	27 E.	34	NW¼ SW¼	25	25
			SW¼ SW¼	40	40
			SE¼ SW¼	10	10
		33	NE¼ SE¼	10	10
			SE¼ SE¼	10	10
8 N.	27 E.	3	NW¼ NE¼	25	20
			NE¼ NW¼	40	40
			NW¼ NW¼	20	25
			SW¼ NW¼	10	30
			SE¼ NW¼	30	30
			SW¼ NE¼	30	10
			Total number of acres irrigated - -		250

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 25th day of August, 1958.

/s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

33 2068
33-02068

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23549

This proof is for C/W & Beneficial Use In Water District No.

1. Name of applicant: Andrew D. Little, Howe, Idaho

2. Source of water supply: Subterranean (wells)

3. Location of point of diversion: Is in the NE¼NW¼ and SW¼SE¼ of Section 3 (Proof made on well in NE¼NW¼ Sec. 3, T8N, R27E)
T. 8 N. R. 27 E. County of Butte

4. Describe works as they exist, giving dimensions and capacities of same: Well 16" x 80' 10"x60' column 10" discharge Monogram Controls S.E. motor 30 Hp 220 V #X01 6874210 Hardware Morse Pump # PL7694 Pumps into open ditch & fields by gravity

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

--Township 8 North, Range 27 East, B.M.

Section 11 - NW¼NW¼(35), SW¼NW¼(30), NE¼SW¼(30) NW¼SW¼(35) SE¼SW¼(30)

Section 2 - SW¼SW¼(30)

Section 3 - NW¼NE¼(25) SW¼NE¼(30) SE¼NE¼(10) NE¼NW¼(40) NW¼NW¼(20) SW¼NW¼(10) SE¼NW¼(30) NE¼SW¼(40), NE¼SE¼(30) NW¼SE¼(40) SW¼SE¼(40) SE¼SE¼(40)

--Township 9 North, Range 27 East, B.M.

Section 34 - NW¼SW¼(25) SW¼SW¼(40) SE¼SW¼(10)

Section 33 - NE¼SE¼(10) SE¼SE¼(10) TOTAL - 640

(Submit map on attached plat, showing location and details of above description.)

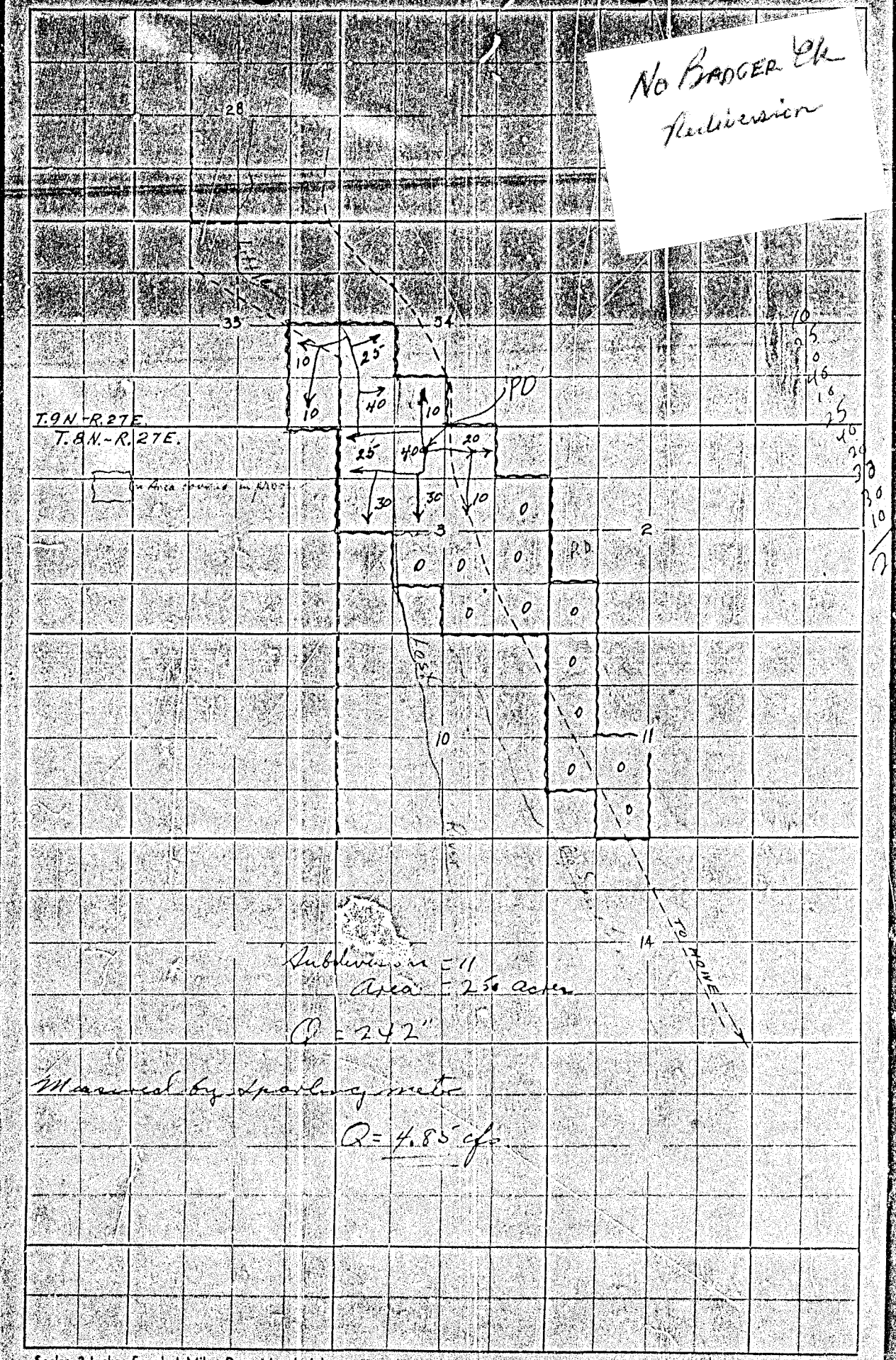
8. What large stream would the water here appropriated finally reach?

Remarks: Crops are Hay & grain

This examination was made on the 23 day of July, 19 58

(Signed) Carol K. Stevenson Examiner.

G 23549



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

H23519

CARTER

August 13, 1958

Re: Permit No. G-23549
Andrew I. Little

Anderson & Beebe
Attorneys-at-Law
P. O. Box 752
Blackfoot, Idaho

ATTENTION: W. Blaine Anderson

Dear Mr. Anderson:

Our field engineer's report on his inspection of the completion of works and application of water to beneficial use under the terms of Permit No. G-23549 shows the well is capable of conveying 242½ miners' inches (4.85 c.f.s.) of water for irrigation of 250 acres.

Upon receipt of the statutory fees, totaling $27.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (twenty-two dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of January 14, 1953, to the use of 4.85 second feet of subterranean water, with the point of diversion in the NE¼NW¼ of Section 3, Township 8 North, for irrigation of 250 acres in the SE¼SW¼, W½SW¼ Section 34, E½SE¼ Section 33, Township 9 North, and the W½NE¼, NW¼ Section 3, Township 8 North, all in Range 27 East, B.M.

Very truly yours,

CED. W. CARTER
State Reclamation Engineer
By

Chief Clerk

EWR:mls

G 23549

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

33-02068

Permit No. G-23549

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Andrew D. Little, Howe, Idaho; livestock and farming

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Not applicable

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. G-23549; 21 January, 1953; 14 January, 1953.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean water. NE¼NW¼, Sec. 3, T. 8N, R. 27 E.B.M., Butte

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Drilled well; 16" dia.; 100' in depth; cased 100'; water stands at 6'; 30-hp electric motor and turbine pump; length of ditch approx. 1/2 mile; width 3½'; depth 1½'. Approx. 250 miners inches measured by N. W. Hansen, watermaster, District No. 9.

23354.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. (See attached map). Cultivated meadow land. Reclamation of arid lands for agricultural purposes [redacted] Little Lost River, amounting to approximately 250 miners inches from the river at a point above the pump and diverted from the River in NE¼, Sec. [redacted], T. [redacted], R. [redacted], Butte County, which is the diversion point for decreed water rights appurtenant to the same lands. Decreed rights are junior and are usually cut off about July 1st in each year.) See attached sheet for description of place of use.

NO NESE

NE¼NE¼, Sec. 33 - 15 acres; SE¼ Sec. 33 - 20 acres; SW¼SW¼, Sec. 15 acres; SW¼SW¼, Sec. 34 - 30 acres; SE¼SW¼, Sec. [redacted] acres; Sec. 3 - 30 acres; NE¼NW¼, Sec. 3 - 40 acres; S½NW¼, Sec. 3 - [redacted] acres; NW¼NE¼, Sec. 3 - 10 acres; and SW¼NE¼, Sec. 3, - 5 acres.

SW-27E

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Irrigation only.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Approximately one miners inch per acre for full irrigation season.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Question 10. 1952; irrigated 120 acres lying above the well with water diverted into the river through the ditch appearing on the attached map. Irrigation was through the ditches already established on said 120 acres. 1953; irrigated approximately 160 acres in the same manner as above, except that both decreed water rights and well water was applied to the land with all excess well water being diverted into the river. 1954; 195 acres irrigated in the same manner as above stated for the years 1952 and 1953; when decreed rights in the river were shut off, all water from the pump was diverted into the river and an equivalent amount taken from the diversion point in NE¼NW¼, Sec. 33, as said. L955 and 1956; irrigated to the same extent and in the same manner as indicated for the year 1954. 1957; approximately 195 acres of land irrigated but used none of the well water, since decreed rights were not shut off in this year. Irrigation was through established ditches as appears in the attached map. The amount required for irrigation is not less than 195 miners inches, or the full discharge of the well and pump.

and sworn to before me, at my office in Blackfoot County of Bingham

State of Idaho, on this 4th day of April A.D. 19 58

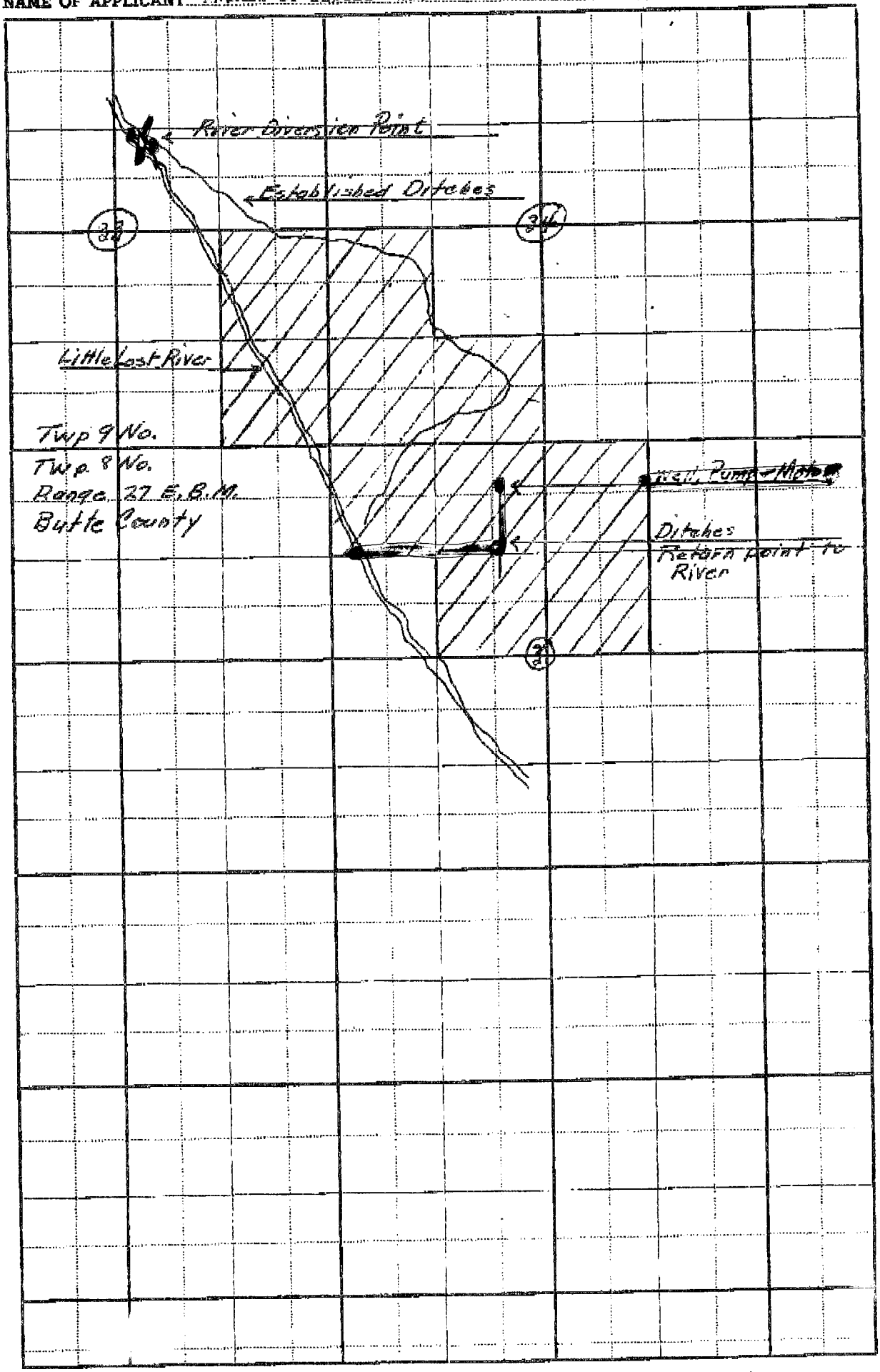
Notary Public for Idaho
Residing at Blackfoot, Idaho

My commission expires 1-1-62

(SEAL)

L 23549

NAME OF APPLICANT ANDREW & LITTLE Water Permit No. 23-2[illegible]9 Form No. 0



SCALE: 4 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

23549

J. BLAINE ANDERSON
ARNOLD T. BEEBE

167 W. BRIDGE ST.
PHONE 952

ANDERSON & BEEBE
ATTORNEYS-AT-LAW
P. O. BOX 752
BLACKFOOT, IDAHO

RECEIVED
FEB 26 1958
Department of Reclamation

February 24, 1958

Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. G-23549
Andrew D. Little, Howe, Idaho

Dear Mr. Kulp:

Mr. Little has brought to us your Notice dated February 21, 1958, wherein you advise that the above permit is held for cancellation.

I beg to call to your attention that under date of February 20, there was issued from your office Notice of Proof of Completion of Works and Application of Water to Beneficial Use and that this Notice was forwarded to The Arco Advertiser for publication. Under the terms of the Notice, Final Proof was set for 10 A.M. on the 4th day of March.

As you may be aware, Mr. Little is President of the Idaho Wool Growers Association and holds several important committee posts in the National Wool Growers Association. During the past winter months, he has been almost constantly engaged in association work and a good part of the time has been absent from the State of Idaho. For these reasons, among others, we would respectfully request that Mr. Little be permitted to make Final Proof in accordance with the terms of the Notice which is in the process of publication and that if any penalty is assessed, that it be merely a later priority date; that is, that the priority date be advanced to the 4th day of April, 1953, rather than the 21st day of January, 1953.

Will you please immediately advise.

Very truly yours,

ANDERSON & BEEBE

J. Blaine Anderson

JBA:mj

February 26, 1958

RE: Permit No. G-23549
Andrew D. Little

Anderson & Beebe
Attorneys-at-Law
P. O. Box 752
Blackfoot, Idaho

ATTENTION: Mr. J. Blaine Anderson

Dear Mr. Anderson:

This will acknowledge receipt of your letter of February 24, in regard to the "Pre-cancellation Notice" mailed February 21, in connection with Permit No. G-23549 on which Proofs were due January 21, 1958.

At the time the "Pre-cancellation Notice" was made, the Notice of Publication had not been received in this Department, however, it has since been received and our letter of February 20, was correct and please disregard the "Pre-cancellation Notice".

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc: Andrew D. Little
Howe, Idaho

G 23549

J. BLAINE ANDERSON
ARNOLD T. BEEBE

167 W. BRIDGE ST.
PHONE 992

ANDERSON & BEEBE
ATTORNEYS-AT-LAW
P. O. BOX 752
BLACKFOOT, IDAHO

April 9, 1958

RECEIVED
APR 11 1958
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Andrew D. Little
Permit No. G-23549

Dear Sir:

In connection with the final proof of application of water to beneficial use under the terms of the above permit, we hand to you herewith the following:

Deposition of Holder, Andrew D. Little;

Deposition of Witness, John R. Rodgers;

Deposition of Witness, N. W. Hansen; and

Affidavit of Publication of Arco Advertiser, appended to which is a printed copy of the notice of proof.

In view of the fact that this application was for supplemental water to augment some old decreed rights, we have attached to the Deposition of the holder a rough sketch showing the manner of use of the water from the river and from the well. As you will note, no damage or harm can come to any intervening users upon the river since there are none other than the holder himself between the old point of diversion in Section 33 and the point where his pump discharges back into the river.

Very truly yours,

ANDERSON & BEEBE

J. Blaine Anderson

JBA:vb

G 23549

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:14
01/12/96

PAGE: 1

GENERAL INFORMATION

CLAIM NUMBER: A33-02068

LAST: PANCHERI INC FIRST:
ADDRESS: C/O JERRY PANCHERI PRESIDENT
CITY: HOWE STATE: ID ZIP: 83244
PHONE NUMBER: 208-767-3419

OWNER CODE: C

LAST: LITTLE FIRST: ANDREW D.
ADDRESS:
CITY: HOWE STATE: ID ZIP: 83244
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIELD EXAM REQUIRED?

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

CLAIM REMARKS: **EXTENSION OF TIME SENT TO DAVE SHAW. NO LATE FEE ASSESSED THIS DAY 1/9/96/JTA

Jeli Comments

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Al Ruberry PHONE NUMBER: (___) ___-_____

DATE OF FIELD EXAM: 12/01/95 APPOINTMENT MADE: Y(✓) N(___) TIME: ___:___ A(___) P(___)

~~ACCOMPANIED~~ CONTACTED BY: Rod Pancheri PHONE NUMBER: (___) ___-_____

RELATIONSHIP TO CLAIMANT: Son

DIRECTIONS TO PROPERTY / NOTES:

Field examined locations of P.O.D, P.O.I, P.O.U. on Dec. 1, 1995

Pancheri, Inc. acquired this property in 1989; Post Letter K. Foster to IDWR 28 April 1994. Copy enclosed.

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A33-02068 2

A. AJ CLAIM: # A33-02068 PRIORITY DATE: 01-14-1953 STAGE: L

B. WR RECORD: # 33-02068 PRIORITY DATE: 01-14-1953 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(✓) N(___)

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

E. IS THERE ANY INDICATION THAT THERE HAS been A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y(✓) N(___) part

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

PROOF OF BENEFICIAL USE SUBMITTED	* Licensed 25 Aug 1958	N/A(___)	Y(___) N(___)
FIELD EXAM COMPLETED		N/A(___)	Y(___) N(___)
FIELD EXAM SENT TO STATE OFFICE		N/A(___)	Y(___) N(___)
LICENSE ISSUED		N/A(___)	Y(___) N(___)

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(___) Y(___) N(✓)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(✓) N(___)

NOTES: A.) Priority Date As claimed matches the Licensed Priority Date.
E.) This well is not used as it was intended and licensed. Also, does not serve all the lands as licensed - it actually serves less acreage. No recorded transfers. ⇒ CDS
Controlled by Watermaster Dist. 33 ⇒ B09

RECOMMENDED PRIORITY DATE:
01-14-1953 As Claimed B09: 33

REVIEWED BY: [signature] DATE 10 Jan 96

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A33-02068

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-02068	08N	27E	3		NE	NW			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
NONE	NONE

WR RECORDS IN SAME 40 ACRE TRACT

33-07198

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
33-02068	08N	27E	3		NE	NW			BUTTE		

OTHER WR RECORDS WITH SAME WR POD

33-07198

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	NONE

SOURCE: GROUNDWATER

TRIB:

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

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

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

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

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

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N(___)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 23 July 58) Y(✓) N(___)

AJ FIELD EXAM (DATE OF FIELD EXAM 1 Dec. 95 NAME OF EXAMINER [signature]) Y(✓) N(___)

OTHER (DESCRIBE IN NOTES BELOW)

 CLAIM NUMBER: 43-02068 4

NOTES: Only one P.O.D. claimed on this claim (right) and it is as licensed - No change to P.O.D. only to 10Ac Tract.
Per historic use Point of Injection and Point of Diversion are herein added to claim ⇒ 003

003: Little Lost River, Little Lost River

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

TWP. 08N	RGE. 27E	SEC. 3	1/4	1/4 NE	1/4 NW	LOT	POD FLAG	COUNTY BUTTE	DIVERSION NAME	DIVERSION NBR
		3	SE	NE	NW	3		Butte		
		3	NW	SE	NW		I	"	Point of Inj. to LLR	
9N	27E	34	NE	SE	SW		R	"	Exchange Diversion off Badger Ck	

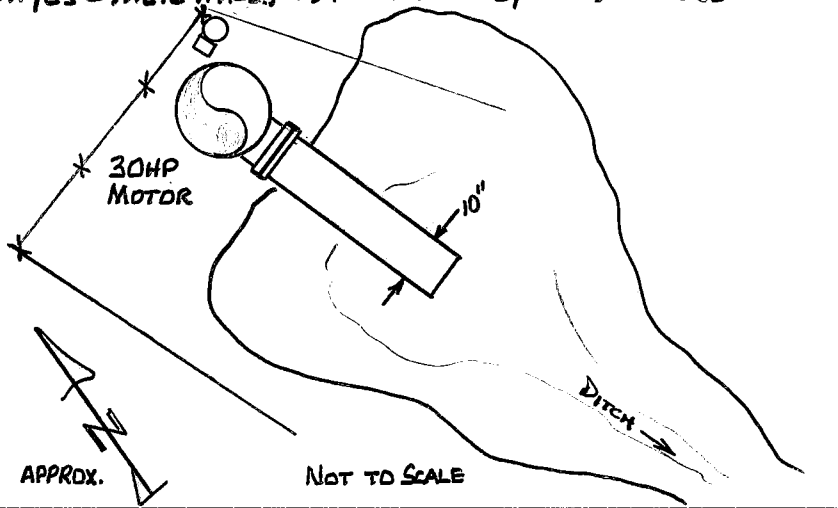
SOURCE: GROUNDWATER TRIB:

REVIEWED BY: [signature] DATE: 12 JAN 96

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (X) See Photo and Pow Sonic Tape Page, See Photo Pages (2) P.O.D.; 2 pages other info., i.e., P.O.U., conveyances, sources

Motor: GE 30HP
SN: XGJ6874210

Pump: Fairbanks-Morse
H6H 1004
10" OPEN Discharge



PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET 5 CLAIM NUMBER: A33-02068

A. ALL CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-02068	IRRIGATION	FROM 04-01 TO 11-01	4.850 CFS	
		TOTAL DIVERSION RATE/VOLUME	4.850 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-02068	IRRIGATION	FROM TO	4.850 CFS	
		TOTAL DIVERSION RATE/VOLUME	4.850 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N(___)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(✓) N(___)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(___) N(✓)

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

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

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

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

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

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

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

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

NOTES: G. Period of Use per Department Standard for G.W. in this area is 15 April to 31 Oct.
Recommend change to Dept. Stds.

From Tim Luke's Little Lost River Distribution
19 MAY 1993

half is rotated downstream to Hansen, then additional reach loss should be charged.

A33-00065 Pancheri, Inc. 06/01/1899

COMMENTS: This right was decreed from Bell Mountain Creek for 6.4 cfs. The decree does specify that Bell Mtn. Ck. is non-tributary. The watermaster indicates that this right is delivered out of priority sequence and ahead of all other rights with earlier priority dates. The right is re-diverted downstream at the Hartman diversion structure and charged a 25% loss. It is recommended that this right continue to delivered out of sequence with other priority rights but that actual reach losses be assessed in delivery instead of the constant 25% loss.

Groundwater Exchanges:

1) Mays Land & Livestock Exchange Well

Mays L & L owns two separate groundwater rights which authorize the injection of groundwater into the Little Lost river and re-diversion downstream at the Hartman structure. These rights are 33-2103 and 33-2107 with 6/28/1961 and 10/2/1961 priority dates respectively. The maximum rate of diversion measured for this Mays well under either license exam was 3.68 cfs. Thus the maximum combined rate of diversion (and rate of injection) under these two rights should be limited to 3.68 cfs and actual reach loss assigned to re-diversion at Hartman.

2) Robert Mays Exchange Well

Bob Mays owns one groundwater right, 33-2114 with a 2/13/1963 priority for 4.69 cfs, which also recognizes injection of groundwater into the river for re-diversion downstream. Rate of diversion and injection to river should be limited to 4.69 cfs.

3) Pancheri, Inc. Badger Creek Exchange Well

There are two groundwater rights which identify the Badger Creek Pancheri well but neither of these rights recognize or authorize any injection of groundwater into the river for re-diversion downstream. The earlier right is 33-2068 and has a 1/14/1953 priority and a licensed diversion rate of 4.85 cfs. The latter right is 33-7198 which has a 12/18/1990 priority for 8.80 cfs (this right also includes a second point of diversion or well). The place of use under both rights is in the Badger Creek area and do not include lands downstream near Howe. IDWR assumes at this time that the use of the 1953 priority right and well was used as an exchange source prior to 1963. IDWR thus recommends that the 1953 well can still be used as an exchange well and the groundwater diverted downstream. The amount of water injected into the river however should be limited to the licensed diversion rate under the 1953 right, which is 4.85 cfs. The exchange water should be charged the actual reach loss or losses downstream to the point of

RE-DIVERSION

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A33-02068 7

AJ CLAIM TOTAL DIVERSION RATE: 4.850 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 4.850 CFS

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

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(___) Y(✓) N(___)

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD Watermaster Records, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 131 x 0.02 CFS/ACRE = 2.62 CFS
(Taken from pou review)

1b. CALCULATIONS
Claimed 4.85 cfs
Calc./ac. 2.62 cfs

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 131 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 458.5 AF/A

(4.85)(1.9835)(184) = 1770.1 AF

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 131 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 327.5 AF/A

(2.62)(1.9835)(184) = 956.2 AF

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

NOTES: (1) As licensed this Bacon Canal well served 250 ac with 4.85 cfs. Current use (Lic. Ac) irrigates as an exchange source for ~~Little Lost River~~ right 33-00035(A). This well now serves only 131.0 (141) ac - some of which is not covered by License. ⇒ C∅5 Recommend ~~reduction~~ split of right to 2.21 cfs ⇒ 33-02068A on 131.0 (141.0) ac (@ 0.02 cfs/ac). Continuation of exchange practice with 33-00035A only.

(2) Refer to ASCS photomap (copy): Note NESW Sec. 34, T. 9N., R. 27E. shows irrigation. This land parcel does contain 6 ac of irrigated land, irrigation sources are: 33-02068 (exchanged w/ LLR), 33-00032A, and 33-00035A. BLM land is claimed. Therefore it is not considered in this recommendation. NESW Sec. 34, T. 9N., R. 27E. is held by State of Idaho - per Butte Co. Assessor's office.

Per Jenny Pancheri (see memo) "Don't include BLM lands (per BLM Letter to Pancheri)

WR RECORD CONDITIONS/REMARKS:

Cond: C∅3, C∅5

Remark: G∅3: LLR; LLR

E∅1: 33-00032A, 262 cfs, 458.5 acft, 327.5 AF, 131.0 ac

B∅9: 33

PAGE: 9
RECOMMENDATIONS REVIEW SHEET

CLAIM NUMBER: A33-02068 9

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	~~04-01~~ 04-15	~~11-01~~ 10-31	4.850	2.21		~~458.5~~ 327.5	0.0	~~0.0~~
TOTAL FOR THIS RIGHT			~~4.850~~	2.21		~~458.5~~ 327.5		~~0.0~~

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: [signature] DATE: 12 Jan 96

FLAG: C Changes prior to 1989

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):
C03: Δ POD
C05: Δ POU

EXPLANATORY REMARKS (CODE):
G03: LLR, LLR
E01: 33-00032A, 262 ac, 458.5 AFA, 327.5 AF, 13/AC
B09: 33

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A33-02068

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(✓)	( )
FORFEIT/ABANDON	( )	(✓)
ADDITIONAL DIV. AMOUNT NONE.	( )	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-02068

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE 4.850 — EXAMINER ~~2.62~~ 2.21 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-02068	4.850	R33-02068A	~~4.850~~ ~~2.62~~ 2.21	33-02068	4.850
			B			
	TOTAL CFS	4.850		~~4.850~~		~~4.850~~ ~~2.62~~

DIVERSION RATE REVIEW

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

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

NOTES:

THIS RIGHT IS NOT SPLIT - IT IS CLAIMED IN-FULL, AS LICENSED. HOWEVER, IT IS NOT USED AS LICENSED (NO KNOWN TRANSFERS). AS AN EXCHANGE SOURCE, ACREAGE IRRIGATED IS LESS & CFS IS REDUCED (ACCORDINGLY @ 0.02 cfs/AC) TO 2.62 cfs FOR 131.0 AC. PRIOR TO 1987 ⇒ CD5

RIGHT WAS SPLIT FOR ADJ. AS: 33-02068A-

33-02068B-

AUTHENTICATION:

SIGNATURE: _____ DATE: ~~12 Jan 96~~ 4 Oct. 99

NAME OF FIELD EXAMINER: _____ TITLE: ~~Sup~~ AA

LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER: A33-02068

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		COPY INCLUDED IN FILE?
(✓) ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDWR ID NO. _____	Y(___) N(___)
( ) TOPOGRAPHIC	DATE FIELD CHECKED _____	IDWR ID NO. _____	Y(___) N(___)
(✓) NAPP	DATE OF PHOTO _____	IDWR ID NO. _____	Y(___) N(___)
(✓) ASCS AERIAL PHOTO	DATE OF PHOTO 1987 copy		Y(✓) N(___)
( ) ASCS COLOR SLIDE	DATE OF PHOTO _____		Y(___) N(___)
( ) BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y(___) N(___)
(✓) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY CHURCHILL - Govt Lots Sec. 3		Y(___) N(✓)
( ) SCS SOIL SURVEY MAP	DATE ISSUED _____		Y(___) N(___)
( ) SUBDIVISION PLAT MAP	DATE OF MAP _____		Y(___) N(___)
( ) OTHER_____	DATE _____		Y(___) N(___)
( ) OTHER_____	DATE _____		Y(___) N(___)
( ) OTHER_____	DATE _____		Y(___) N(___)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
(✓) LICENSING FIELD EXAM	DATE OF FIELD EXAM	23 July 1958	_____	_____
(✓) WATER RIGHT LICENSE	DATE LICENSE SIGNED	25 Aug 1958	_____	_____
( ) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED	_____	_____	_____
(✓) SYSTEM DESCRIPTION	DATE DRAWN	SUB ASCS Photocopy	_____	_____
(✓) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	1 Dec 1995	_____	_____
(✓) ~~SPLIT RIGHT REVIEW~~ P.O.U. sheet	DATE REVIEW COMPLETED	9 Jan. 96	_____	_____
(✓) ~~HUBBLE~~ ANALYSIS of overlapping Rights	DATE ANALYSIS COMPLETED	9 JAN. 96	1	_____
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED	_____	_____	_____
(✓) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	1/15/96 Garrison Ruberry	_____	Polysonic Measurement
(✓) OTHER Conversation Does.	DATE Nov - Dec 95	_____	4	_____
(✓) OTHER Claim Filing Docs (Late)	DATE Dec.... 1995	_____	4	_____
(X) Letter K. Foster to IDWR	DATE 28 April 1994		1	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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01/12/96

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A03-03068

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		TERESA ABR TO ROD PANCHESSI 30 NOV 95	1 DEC 1995 ABR	N	12 JAN 96 ABR	12 JAN 96 ABR	12 JAN 96 ABR	12 JAN 96 ABR
POINT OF DIV				Y ADD P.O.D. P.O.R.				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			Y				
PURPOSES OF USE				N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

PRESUMPTION CODE: C

COND./Remarks
C03 G05
C05 E01
B09

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:12:54
01/12/96
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PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A33-02068

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC	01/14/1953 OK	IRRIGATION	~~04-01~~ 04-15	~~11-01~~ 10-15	4.85 CFS	~~458.5 AC~~
				TOTAL DIVERSION:		~~4.85 CFS~~ 2.62	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T08N R27E S03 NWNENW P.O.D. T.8N. R27E Sec.3 NWSENW I BUTTE County

P.O.R. T.9N. R27E Sec.33 NENWNE R

Place of use Legal Description for: IRRIGATION

T	R	S	NE NENE Lt	NE NENE Ac	NE NWNE Lt	NE NWNE Ac	NE SWNE Lt	NE SWNE Ac	NE SENE Lt	NE SENE Ac	NW NENW Lt	NW NENW Ac	NW NWNW Lt	NW NWNW Ac	NW SWNW Lt	NW SWNW Ac	NW SENW Lt	NW SENW Ac	SW NESW Lt	SW NESW Ac	SW NWSW Lt	SW NWSW Ac	SW SWSW Lt	SW SWSW Ac	SW SESW Lt	SW SESW Ac	SE NESE Lt	SE NESE Ac	SE NWSE Lt	SE NWSE Ac	SE SWSE Lt	SE SWSE Ac	SE SESE Lt	SE SESE Ac	SUM
~~05N~~	~~29E~~	~~3~~				~~39~~		~~40~~												~~40~~		~~40~~												~~159.0~~
05N	29E	4		40		40		40		40				38				30										40		40		35		40	383.0
05N	29E	5		28																															28.0
05N	29E	10																										40		40		40		40	160.0
05N	29E	11																	40	40		40						40		40		40		40	320.0
05N	29E	12																	40	40		40													160.0
05N	29E	13		40		40		40		39		40		40		40		40	40	40		40						39		40		40		40	680.0
05N	29E	14		40		40		37		40		40						40				30												31	298.0
06N	29E	29																	40			36		40				40		40		40		40	276.0
06N	29E	30																						27								40		40	107.0
06N	29E	31		33		40						18																							91.0
06N	29E	32						39				35		37		10		38		14								40		35		39		36	313.0
~~08N~~	~~28E~~	~~33~~																				~~36~~		~~39~~								~~40~~			~~115.0~~
08N	27E	3			L2	~~21~~ 19		1			L3	~~39~~ 37	L4	~~3~~ 2		~~0~~		~~4~~		~~0~~				~~0~~				~~0~~		~~0~~					~~264.0~~ 66.0
09N	27E	4										39		39		39		39		39		39		39											312.0
09N	27E	16										39		39		39		39		39		39		39											312.0
09N	27E	21										33		33		33		33		33		33		33											264.0
09N	27E	28										33		33		33		33		33		33		33											264.0
09N	27E	33				~~19~~ 0		~~25~~ 0				~~40~~ 0						~~40~~ 0		~~0~~		~~29~~		~~15~~		~~8~~		~~12~~				~~7~~		~~139.0~~ 12.0
09N	27E	34																		~~0~~										~~1~~				~~54.0~~ 53.0
																														TOTAL ACRES				~~465.0~~ 131.0

STATE LAND SEE Pg. B (2.)

POU County: BUTTE

Other Rights: ~~SEE ATTACHMENT~~

Remarks: **EXTENSION OF TIME SENT TO DAVE SHAW. NO LATE FEE ASSESSED THIS DAY 1/9/96/JT** 3 cc: comments

Dates: Exam Made Date: Verified Date:

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

Presumption Code: C

Cond./Remarks
C03 G03
C05 I01
B09

12/05/2001

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

RIGHT NUMBER: 33-2068A

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

SOURCE: GROUND WATER TRIBUTARY:

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

QUANTITY: 2.210 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

PRIORITY DATE: 01/14/1953

POINT OF DIVERSION:
T08N R27E S3 SENENW Lot 3 Within BUTTE County
T08N R27E S3 NWSENW Injection Within BUTTE County
T09N R27E S34 NESESW Rediversion Within BUTTE County

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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 10/31	2.210 CFS

PLACE OF USE: IRRIGATION Within BUTTE County

T08N R27E S03 Lot 2	NWNE	24.0	T08N R27E S03		SWNE	~~1~~ 0.3
T08N R27E S03 Lot 3	NENW	38.0	T08N R27E S03 Lot 4		NWNW	~~4~~ 3.6
T08N R27E S03	SENW	~~18~~ 11.0	T09N R27E S34		NWSW	~~6~~ 6.1
T09N R27E S34	SWSW	~~9~~ 17.0	T09N R27E S34		SESW	14.0
~~T09N R27E S34~~	~~NESW~~	~~8~~	~~T09N R27E S34~~		~~SWSE~~	~~1~~

~~123~~ 114 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:33-02068B AND 33-10997.

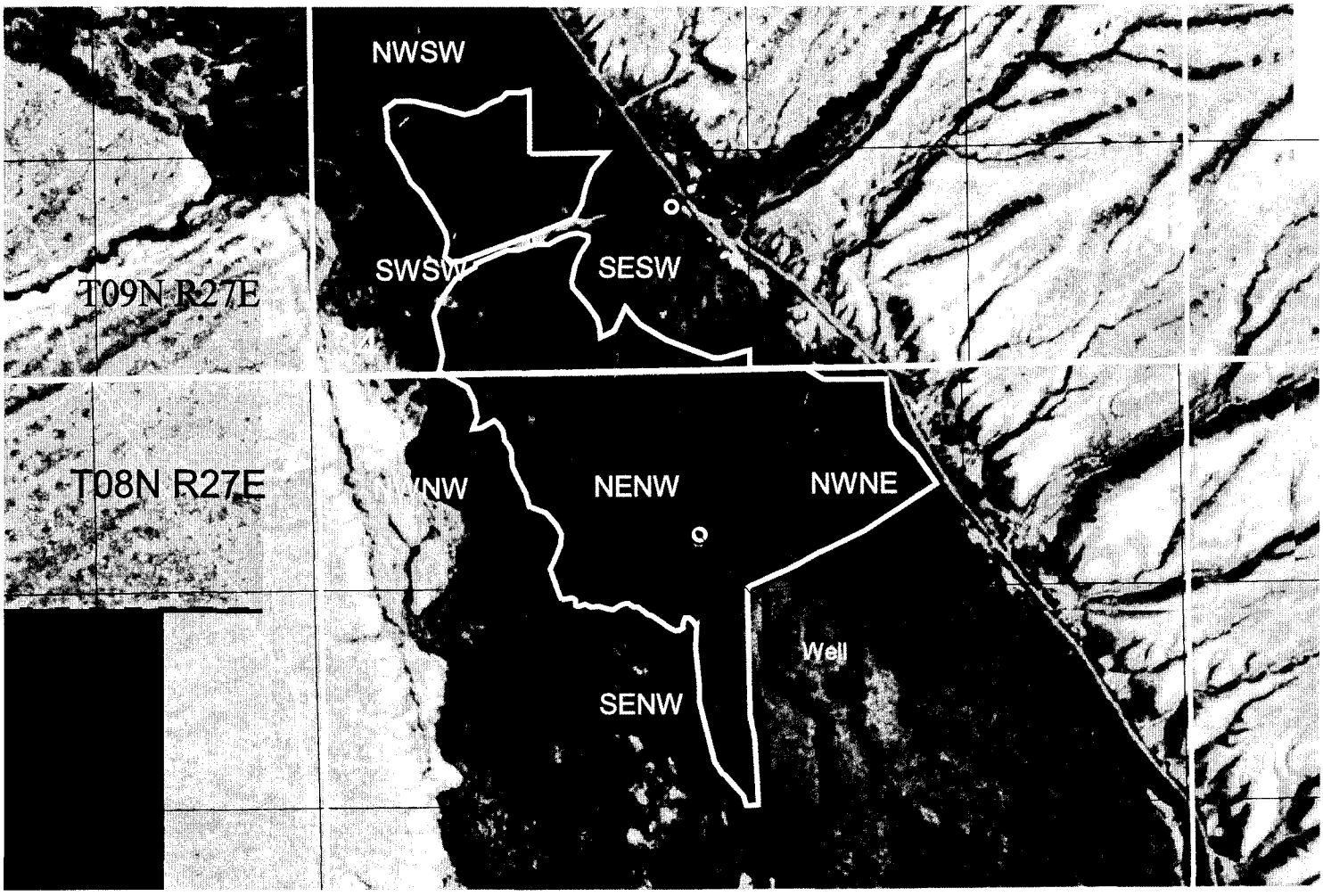
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-2068A



LEGEND

- Point of Diversion
- Place of Use
- Section Line
- Quarter-section line

Irrigated Acres = 114

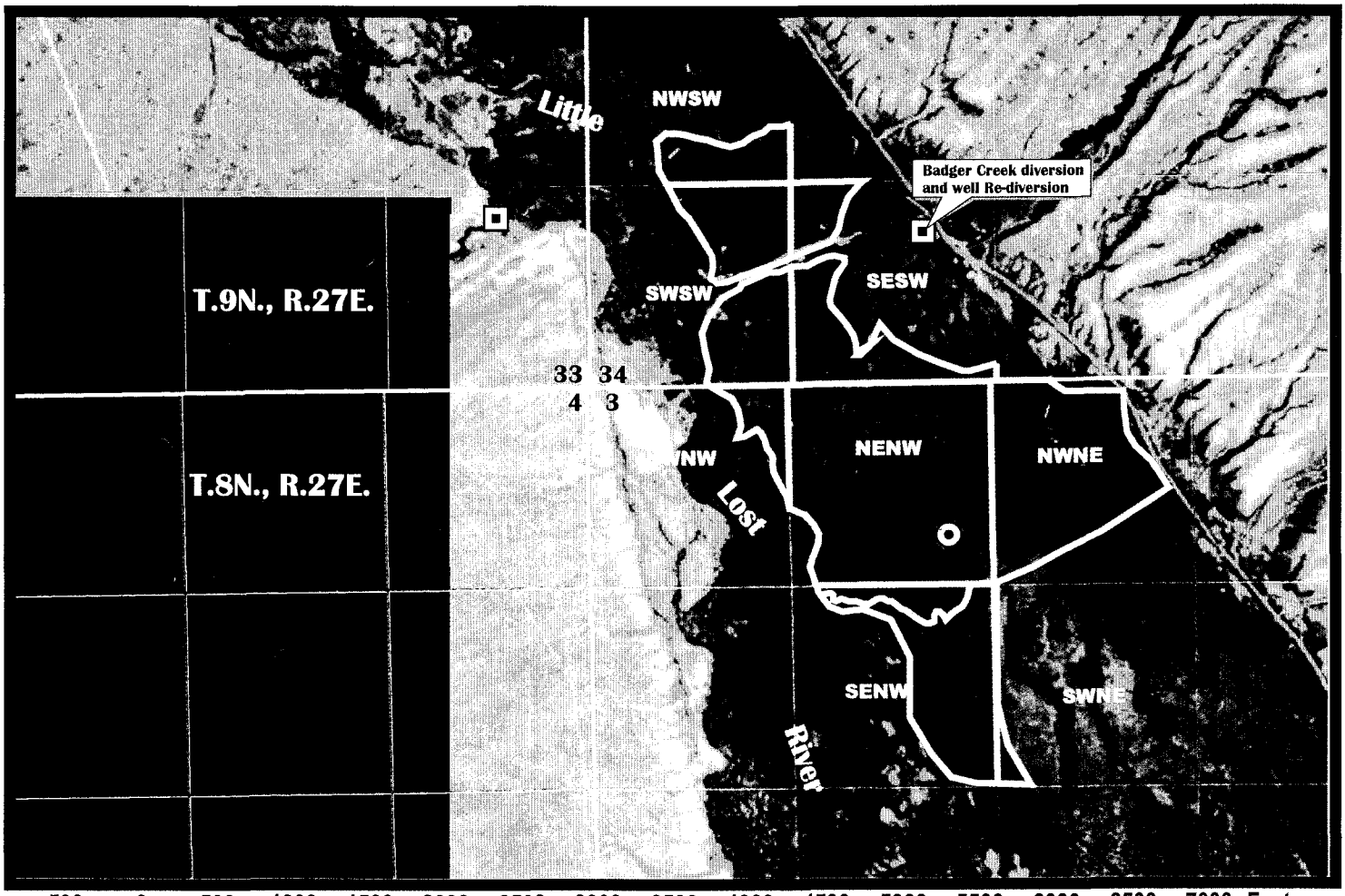
N
W
E
S

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2001

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: Pancheri Inc.

Water Right(s): 33-02068A, 33-00035A



LEGEND

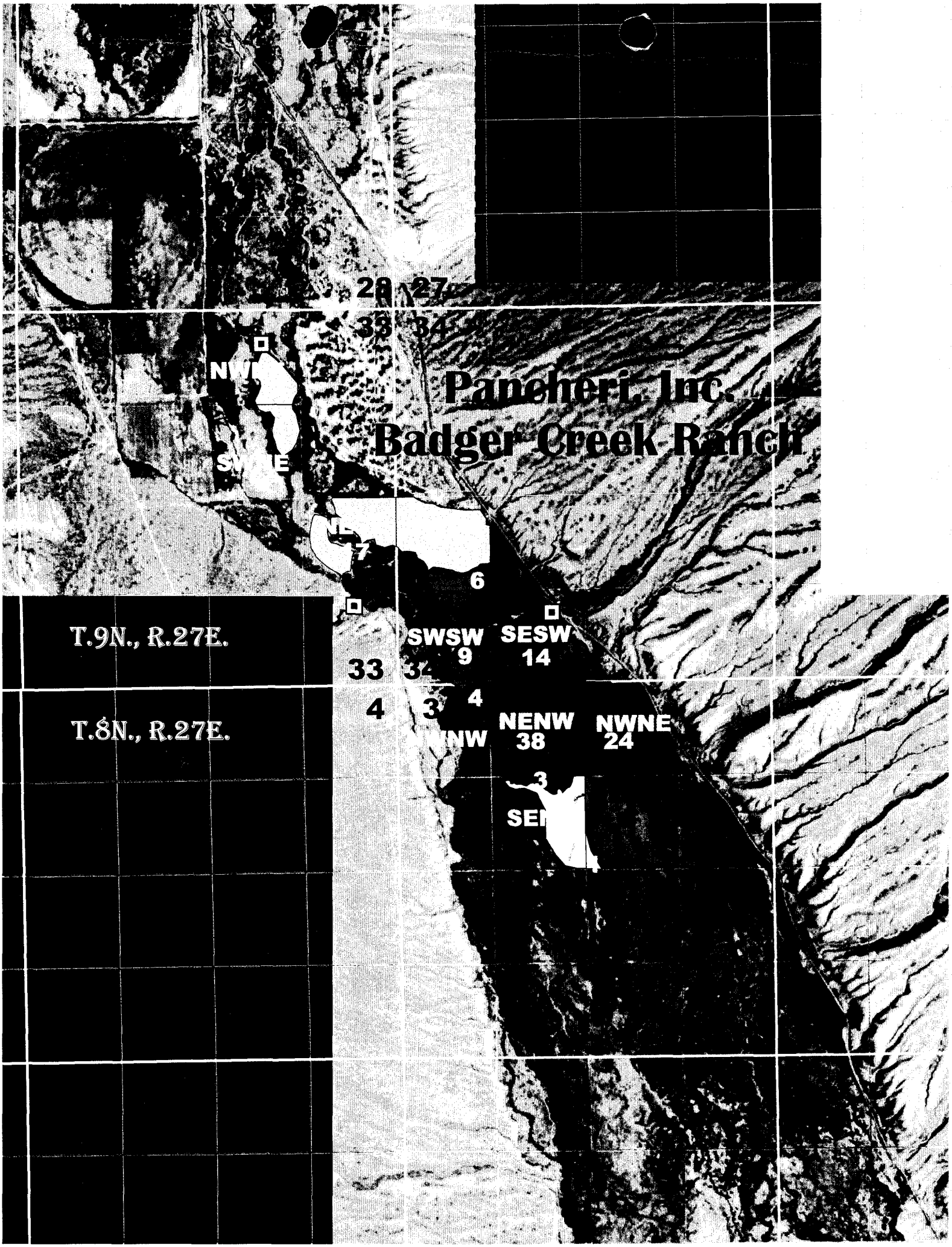
- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.9N., R.27E.
Sec. 34 (parts of) S2SW, NWSW,
T.8N., R.27E Sec. 3 (parts of) N2NW,
SENW, W2NE

Point(s) of Diversion: T.8N., R.27E.
Sec. 3 SENENW (well)
Sec. 3 NWSENW (injection)
T.9N., R.27E. Sec. 34 NESESW
(well rediversion and Badger Ck diversion)

N

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


Pancheri, Inc.
Badger Creek Ranch
T.9N., R.27E.
T.8N., R.27E.
28
27
33
34
7
6
SWSW
9
SESW
14
33
4
4
NENW
38
NWNE
24
3

Water Right Number - 33-02068A Prefix Translation: WATER RIGHT Old (D) Number - 23549

Last Name	First Name	Address
*** A - ATTORNEY ***		
FOSTER	KENT W	1 - HOLDEN KIDWELL HAHN & CRAPO 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** C - CURRENT OWNER ***		
PANCHERI INC		1 - C/O JERRY PANCHERI PRES 2 - HC 65 BOX 2104 3 - City- HOWE State- ID Zip- 83244 Phone - 208-767-3419
*** O - ORIGINAL OWNER ***		
LITTLE	ANDREW D.	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
01/14/1953	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
08N	27E	3	SE NE NW	3		(23) BUTTE
			NW SE NW		I	(23) BUTTE
09N	27E	34	NE SE SW		R	(23) BUTTE

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/31	2.210	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
2.210		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	27E	3	NW NE		24.0	01	IRRIGATION	(23) BUTTE
08N	27E	3	SW NE		1.0	01	IRRIGATION	(23) BUTTE
08N	27E	3	NE NW		38.0	01	IRRIGATION	(23) BUTTE
08N	27E	3	NW NW		4.0	01	IRRIGATION	(23) BUTTE
08N	27E	3	SE NW		18.0	01	IRRIGATION	(23) BUTTE
09N	27E	34	NE SW		8.0	01	IRRIGATION	(23) BUTTE
09N	27E	34	NW SW		6.0	01	IRRIGATION	(23) BUTTE
09N	27E	34	SW SW		9.0	01	IRRIGATION	(23) BUTTE
09N	27E	34	SE SW		14.0	01	IRRIGATION	(23) BUTTE

DO NOT FILM

Water right number - 33-02068A Prefix Translation: WATER RIGHT

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09N	27E	34	SW SE		1.0	01	IRRIGATION	(23) BUTTE
			Total Acres:		123.0			

Diversion Means - WELL AND PUMP TO OPEN DISCHARGE CHANNEL

Non-Irrigation Use -

Other Rights for Same Use - 33-00035A, 33-10997A

Remarks

SRC POINT OF INJECTION INTO LITTLE LOST RIVER.
POINT OF REDIVERSION FROM BADGER CREEK.

QNT USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

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

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:33-02068B AND 33-10997.

Old Water Right Numbers

A3302068

Conditions of Approval

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

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

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

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

DO NOT FILM

Water right number - 33-02068A Prefix Translation: WATER RIGHT

-Comments-

Date: 10/04/1999 User Id: ARUBERRY Subject: SPLIT OF RIGHT
RIGHT WAS SPLIT TO REFLECT THE HISTORIC USE OF THE WELL. THE USE OF THIS WELL AS AN EXCHANGE SOURCE HAS BEEN ESTABLISHED LONG PRIOR TO THE ADJUDICATION.

Date: 10/04/1999 User Id: ARUBERRY Subject: SPLIT FOR ADJUDICATION
RIGHT IS SPLIT FOR ADJUDICATION TO ACCURATELY REPRESENT USE AS:
A33-02068A, 2.21 CFS, 114 AC. (BADGER CK RANCH)
A33-00268, 4.85 CFS, 250 AC.
A33-02068B, 2.64 CFS, 136 AC. (EXCHANGE USE)
TOTAL 4.85 CFS, 250 AC.
---------- NO CHANGE OF OWNERSHIP.
RIGHT IS CLAIMED IN-FULL. PAID UNDER RECEIPT NO. E021823.

Date: 10/04/1999 User Id: ARUBERRY Subject: COPIED FROM REMARKS
EXTENSION OF TIME SENT TO DAVE SHAW. NO LATE FEE ASSESSED THIS DAY 1/9/96/JT

Date: 11/22/1999 User Id: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Date: 12/01/1999 User Id: BCONTOR Subject: CONVEYANCE LOSS
MOST EXCHANGE RIGHTS ARE RECOMMENDED WITH A REMARK AUTHORIZING WATERMASTER TO ASSESS DELIVERY LOSS PER CODE 42-105. HOWEVER THIS RIGHT HAS POINT OF INJECTION DOWNSTREAM OF POINT OF REDIVERSION WITH NO INTERVENING DIVERSIONS TO BE INJURED. NO LOSS HAS BEEN ASSESSED HISTORICALLY AND NONE IS RECOMMENDED. NOTE THAT 33-02068B IS DIVERTED FROM SAME POD AND REDIVERTED DOWNSTREAM AND THAT RIGHT IS RECOMMENDED WITH THE REMARK. BCONTOR.

Date: 02/14/2000 User Id: SSHERMAN Subject: DATA ENTRY
CORRECTED CLAIMANT DELIVERY ADDRESS TO DATA ENTRY STANDARDS AND ADDED KENT FOSTER TO MATCH OTHER PANCHERI CLAIMS.

- - Audit Fields - -
02/14/00 SSHERMAN

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/09/1996	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

DO NOT FILM

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC C/O JERRY PANCHERI PRES HC 65 BOX 2104 HOWE ID 83244 (208) 767-3419	01/14/1953	IRRIGATION	04-15	10-31	2.210 CFS	
				TOTAL DIVERSION:		2.210 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T08N R27E S03 Lot03(SENENW) BUTTE County
Point(s) of Injection: T08N R27E S03 NWSENW BUTTE County
Point(s) of Re-diversion: T09N R27E S34 NESESW BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
08N	27E	3		24	01		38	04		18									85.0
09N	27E	34									08	06	09	14			01		38.0
																	TOTAL ACRES		123.0

POU County: BUTTE

Other Rights: 33-00035A, 33-10997A

Conditions of Approval:

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

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

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

Remarks: SRC POINT OF INJECTION INTO LITTLE LOST RIVER.
POINT OF REDIVERSION FROM BADGER CREEK.

QNT USE OF THIS RIGHT WITH RIGHT NOS. 33-00035A AND 33-10997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS.

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

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:33-00035A AND 33-10997.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:33-02068B AND 33-10997.

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

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

AJ0749NP
No. R33-02068A

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

DATE: 12/01/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC	01/14/1953	IRRIGATION	04-15	10-31	2.210 CFS	
					TOTAL DIVERSION:	2.210 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T08N R27E S03 Lot03(SENENW) BUTTE County
Point(s) of Injection: T08N R27E S03 NWSENW BUTTE County
Point(s) of Re-diversion: T09N R27E S34 NESESW BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
08N	27E	3		24	01		38	04		18									85.0
09N	27E	34										06	09	14					29.0
																		TOTAL ACRES	114.0

POU County: BUTTE

Other Rights: 33-00035A

Conditions of Approval:

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

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

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT - ADMINISTRATION OF THE WATER RIGHTS.

Remarks: SRC POINT OF INJECTION INTO LITTLE LOST RIVER.
POINT OF REDIVERSION FROM BADGER CREEK.

QNT USE OF THIS RIGHT WITH RIGHT NO. 33-00035A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS.

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

POU1 USE OF THIS RIGHT WITH RIGHT NO. 33-00035A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON.

POU Bo# 28, 29, 30

POD Bo# 42

Remarks: EXP RIGHT NO. 33-02068B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

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

Comments: Date: 10/04/1999 User-ID: ARUBERRY Subject: SPLIT FOR ADJUDICATION
RIGHT IS SPLIT FOR ADJUDICATION TO ACCURATELY REPRESENT USE AS:
A33-00268, 4.85 CFS, 250 AC.
A33-02068A, 2.21 CFS, 114 AC. (BADGER CK RANCH)
A33-02068B, 2.64 CFS, 136 AC. (EXCHANGE USE)
---------- NO CHANGE OF OWNERSHIP.
TOTAL 4.85 CFS, 250 AC.
RIGHT IS CLAIMED IN-FULL. PAID UNDER RECEIPT NO. E021823.

Date: 10/04/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
EXTENSION OF TIME SENT TO DAVE SHAW. NO LATE FEE ASSESSED THIS DAY 1/9/96/JT

Date: 10/04/1999 User-ID: ARUBERRY Subject: SPLIT OF RIGHT
RIGHT WAS SPLIT TO REFLECT THE HISTORIC USE OF THE WELL. THE USE OF THIS WELL AS AN EXCHANGE SOURCE HAS BEEN ESTABLISHED LONG PRIOR TO THE ADJUDICATION.

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Date: 12/01/1999 User-ID: BCONTOR Subject: CONVEYANCE LOSS
MOST EXCHANGE RIGHTS ARE RECOMMENDED WITH A REMARK AUTHORIZING WATERMASTER TO ASSESS DELIVERY LOSS PER CODE 42-105. HOWEVER THIS RIGHT HAS POINT OF INJECTION DOWNSTREAM OF POINT OF REDIVERSION WITH NO INTERVENING DIVERSIONS TO BE INJURED. NO LOSS HAS BEEN ASSESSED HISTORICALLY AND NONE IS RECOMMENDED. NOTE THAT 33-02068B IS DIVERTED FROM SAME POD AND REDIVERTED DOWNSTREAM AND THAT RIGHT IS RECOMMENDED WITH THE REMARK.
BCONTOR.

Audit: 12/01/99 BCONTOR

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: **A33-02068A**
Date Received: 1/ 9/1996
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PANCHERI INC 208-767-3419
   Address: C/O JERRY PANCHERI PRESIDENT
   HOWE ID 83244

Original sent to court. 4-20-00

2. Date of Priority: JAN 14, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08N	27E	3	SE NE NW		BUTTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.210		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	27E	3	NW NE		IRR	24.0
			SW NE		IRR	1.0
			NE NW		IRR	38.0
			NW NW		IRR	4.0
			SE NW		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	85.0
09N	27E	34	NW	SW	IRR	6.0
			SW	SW	IRR	9.0
			SE	SW	IRR	14.0
					Section Acres	29.0
					Total Acres	114.0

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:
33-00035A, 33-00032A, 33-00033A

14. Remarks:
EXTENSION OF TIME SENT TO DAVE SHAW. NO LATE FEE ASSESSED THIS DAY 1/9/96/JT
***
RIGHT IS SPLIT FOR ADJUDICATION TO ACCURATELY REPRESENT USE AS:
A33-00268, 4.85 CFS, 250 AC.
A33-02068A, 2.21 CFS, 114 AC. (BADGER CK RANCH)
A33-02068B, 2.64 CFS, 136 AC. (EXCHANGE USE)
---------- NO CHANGE OF OWNERSHIP.
TOTAL 4.85 CFS, 250 AC.
RIGHT IS CLAIMED IN-FULL. PAID UNDER RECEIPT NO. E021823.

15. Basis of Claim: LICENSE

Water Right Number: 23549

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres of
Title
Ranchers Inc, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

_____
Signature of Authorized Agent

Pres Ranchers Inc
Title and Organization

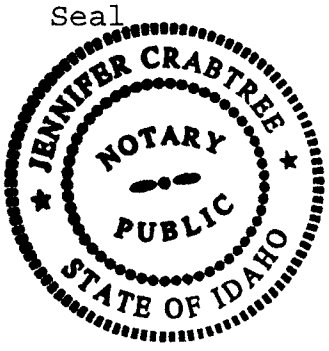
10-10-99
Date

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 15th day
of October 19 99

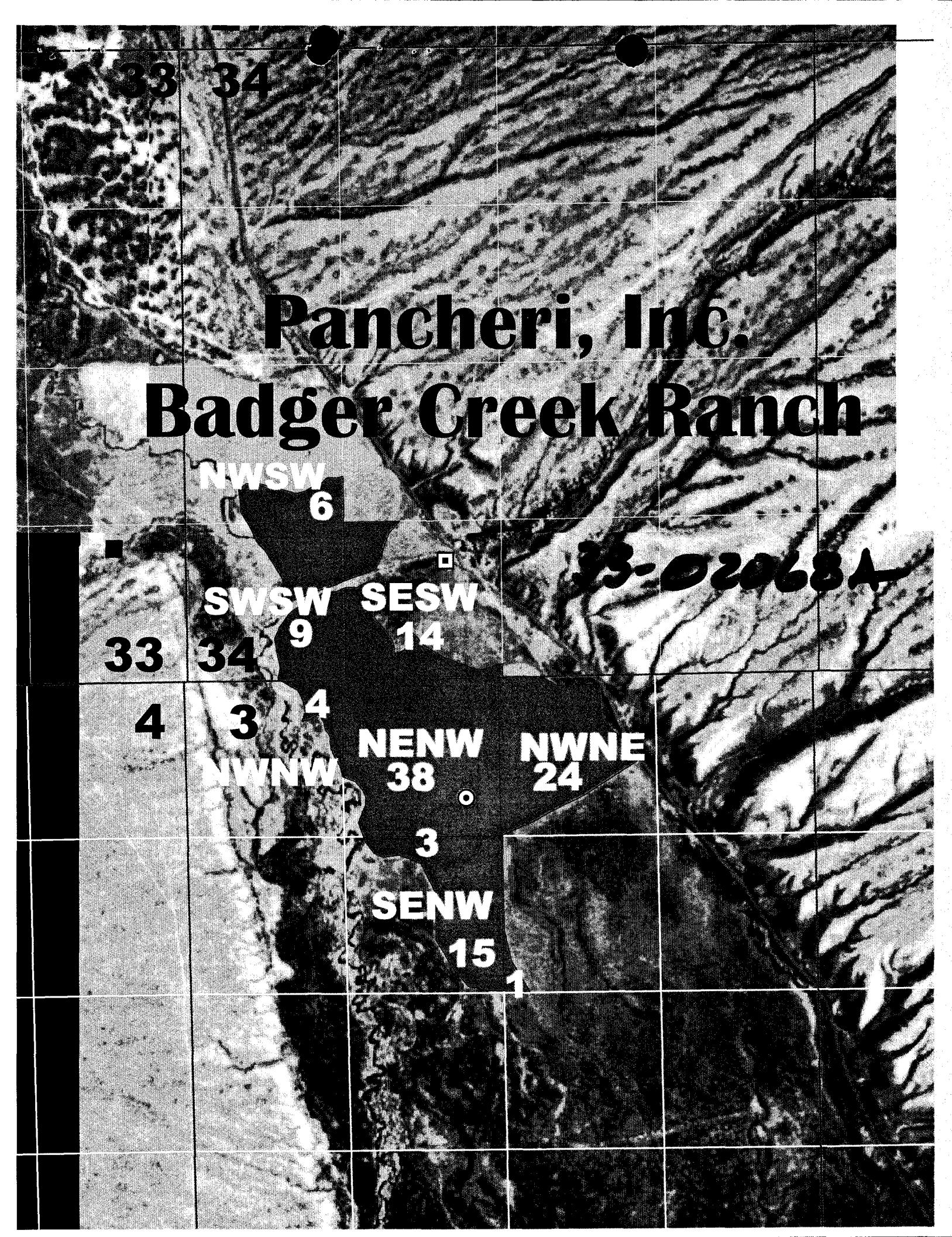
_____
Notary Public

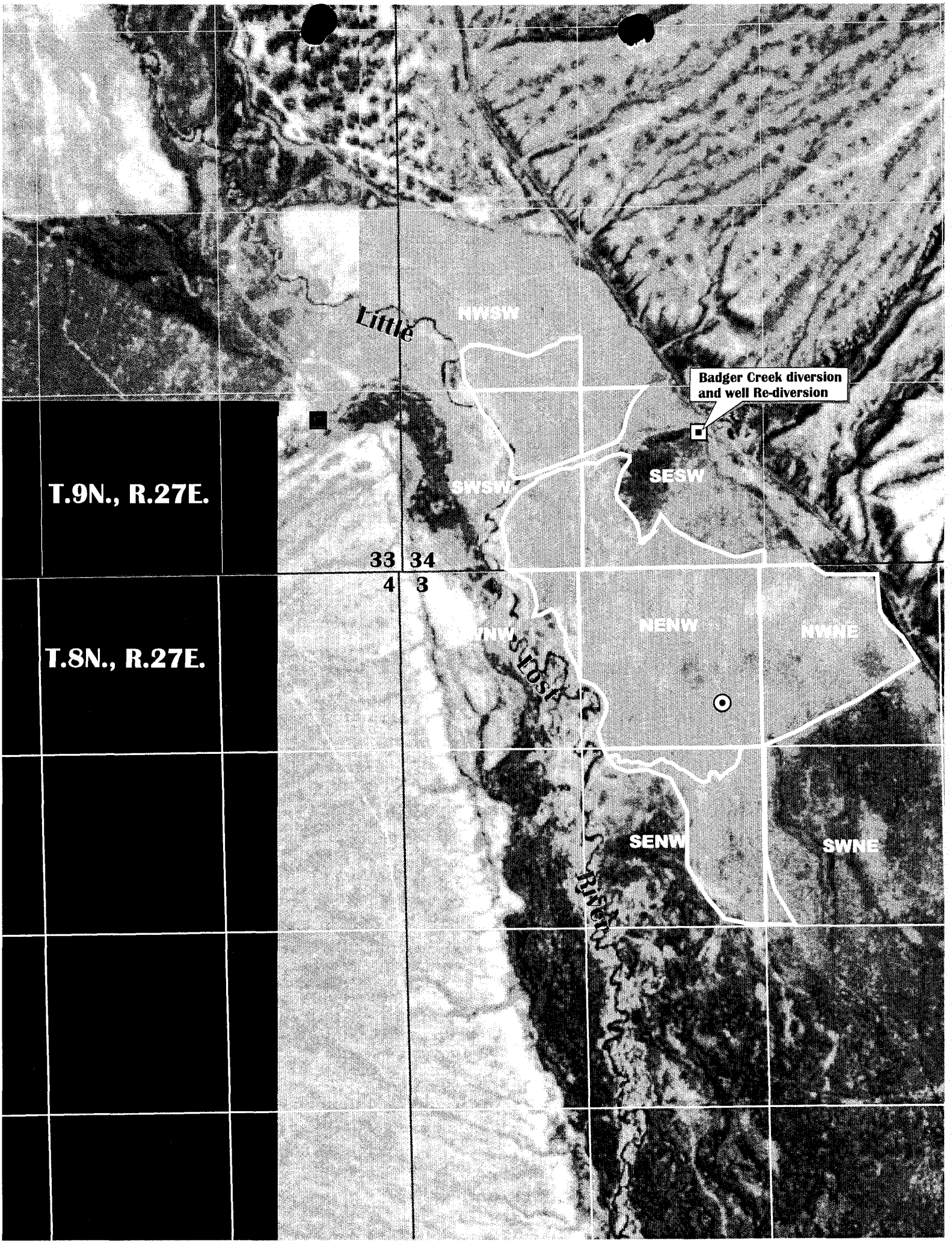
Seal



Residing at Idaho Falls

My Commission Expires 9-23-03


Pancheri, Inc.
Badger Creek Ranch
33
34
NWSW
6
SWSW
9
SESW
14
33
34
4
3
4
NENW
38
NWNE
24
NWNW
3
SENW
15
1


Little
NWSW
Badger Creek diversion
and well Re-diversion
SWSW
SESW
T.9N., R.27E.
33
34
4
3
T.8N., R.27E.
NW
NENW
NWNE
Los
SENW
SWNE
River