



155.9

③ NH&L NW 152.1

④ NH&L NW 33.8

39.7

1318

② NH&L NW 146.5

⑧ NH&L NW 38.5

⑦ NH&L NW 28.5

⑥ 22.4

⑥ 39.6

1817

② NH&L NW 80.4

⑦ 34.8
T 46.1
G. OWENS

③ 41.2

① 42.7

2419

④ 67.4

⑤ 27.3

⑥ 103.0

⑥ 31.1
T 34.3
NH&L NW
HANSEN

A33-02094A
POINT OF DIVERSION

⑥ 29.9 NH&L NW
T 38.5 NW
PANCHERL INC.

MAINLINE

gph

PLACE OF USE

2419
2530

① 186.0

○ Lic. 020944A

● BCC

✗ Lic. 02032B

● DEGREE 00034A

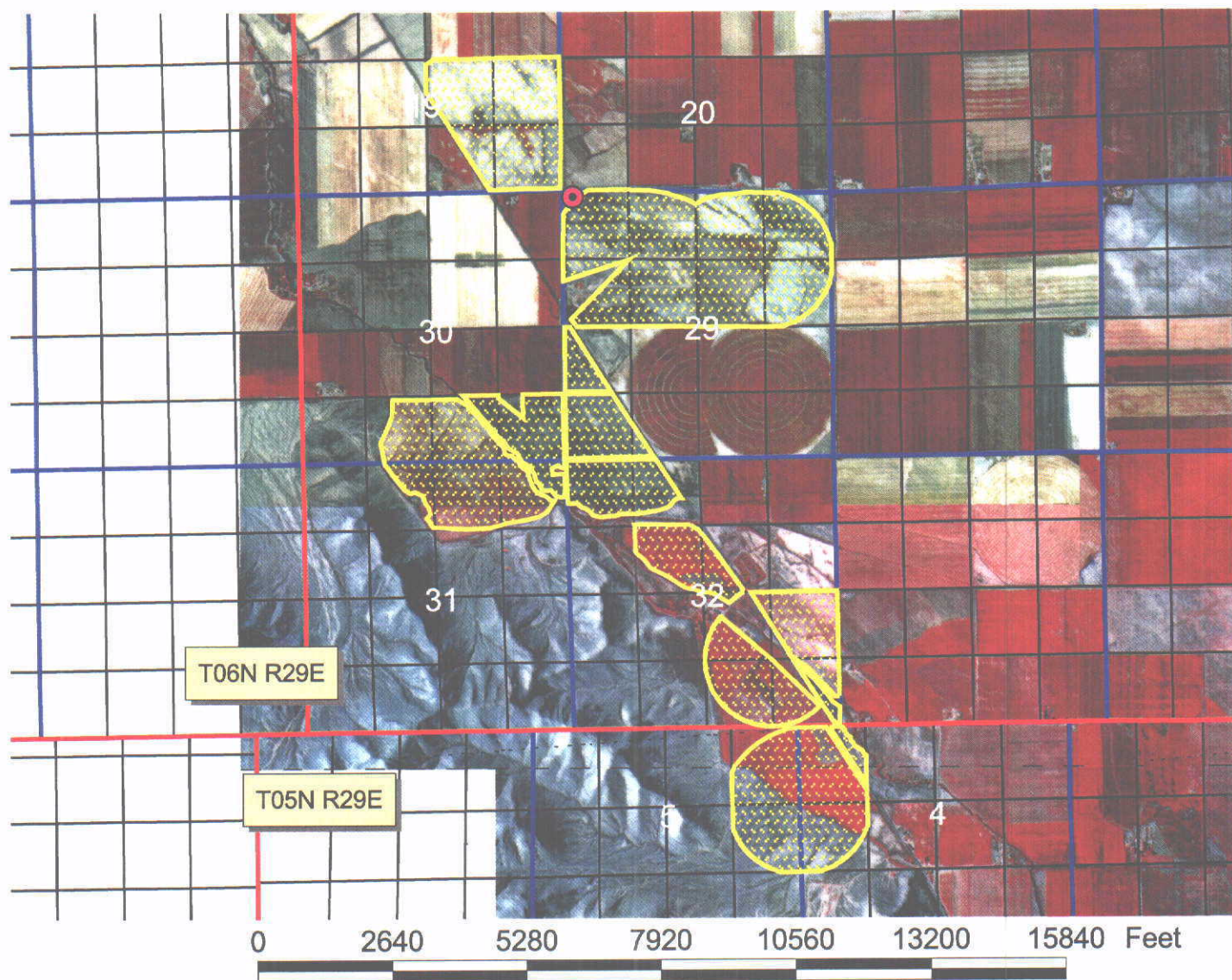
3019

T 9.1



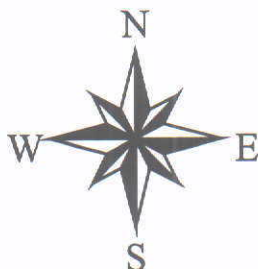
Department of Water Resources

Claim No.: 33-2094
33-7038



Irrigated Acres = 991

- Well.shp
- Water rights.shp
- Townships
- Sections
- QQ



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

Page 17 of 22

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2094 is now described as follows.

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

Priority Date: 09/11/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	4.11 CFS	1,530.0 AF
		4.11 CFS	1,530.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 29 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			22.3													59.3
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30												25.8			36.0	34.0	95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Page 18 of 22

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 68522

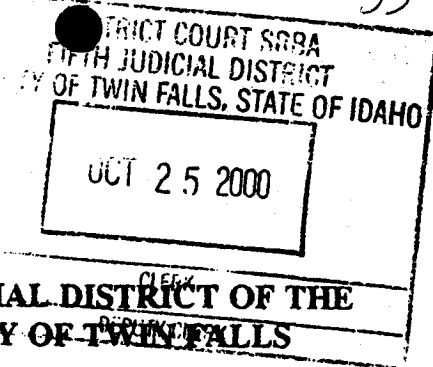
CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual diversion volume of 1530 af and the irrigation of 437 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau



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

In Re SRBA

Case No. 39576

Subcase(s): 33-00024 et al

Pancheri Inc

ORDER SETTING HEARING

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

- ☒ Status Conference
☐ Settlement Conference
☐ Scheduling Conference

Date: Dec. 20, 2000 11am

Location: SRBA Court phone

DATED: 10/25/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

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

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

Kent Easter

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

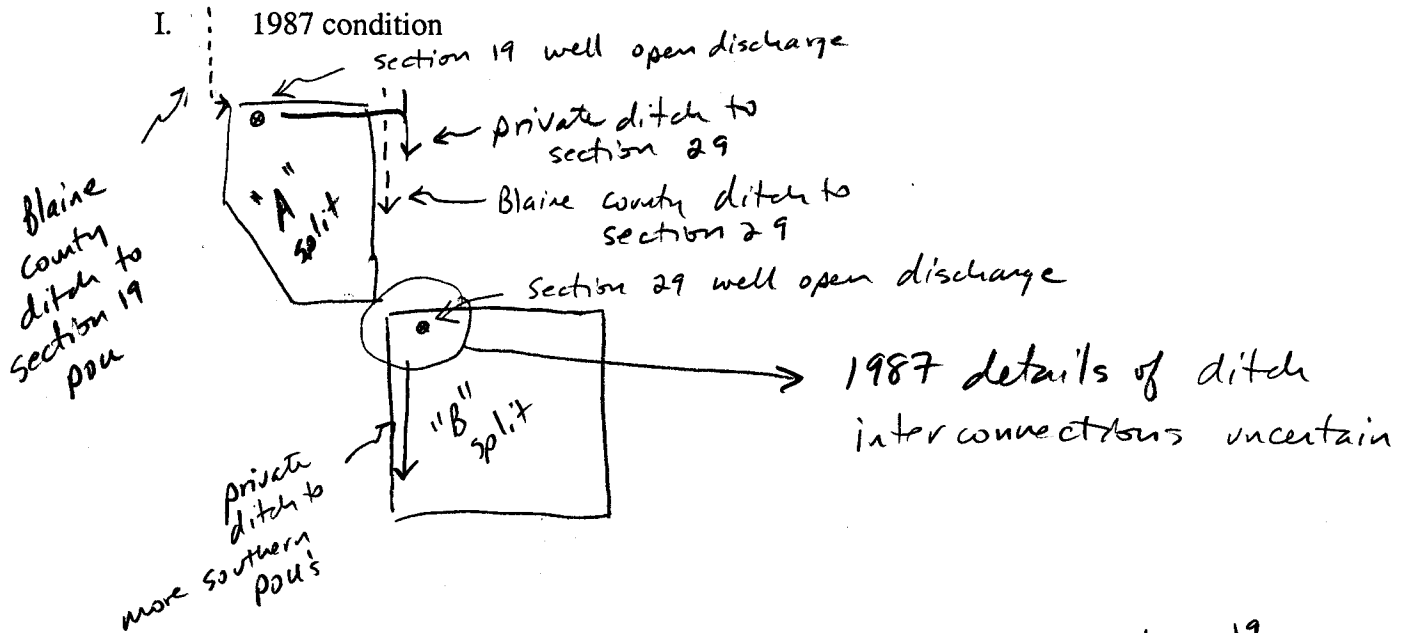
Teri Harnack
Deputy Clerk

To: A33-02094
A33-02094A
A33-02094B
A33-07038
Fr: Bryce Contor
Date: 12/21/1999
Re: Split, Recombination.

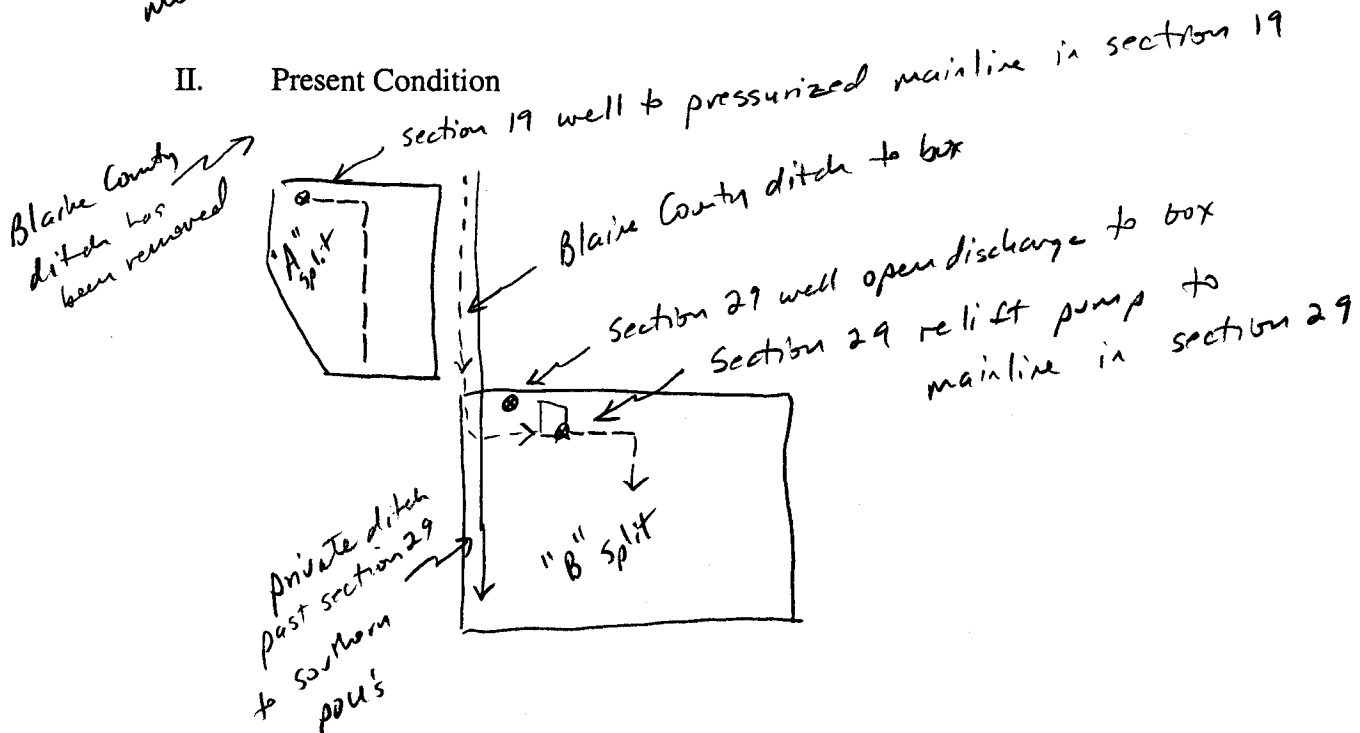
Bryce

Original recommendations for 33-02094 split into A & B per sketches below:

I. 1987 condition

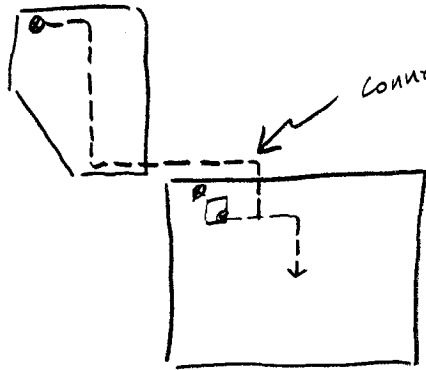


II. Present Condition



As part of NOE process, claimant presented intention to connect mainline as shown:

(ditches will remain unchanged)



Connecting mainline allows section 19 well to supply water to section 29 POU as per original license. Mainline also allows relift pump to deliver Blaine County water to section 19 POU as per Blaine County claims } 1987 condition.

While this would be a post-1987 change, we can recommend 33-02094 without a split and still reflect both the original license and the 1987 delivery. Recommending without a split will accommodate intended change, without requiring a transfer.

Note that claimant has been notified that 33-02094 does not authorize injection of well water into ditch for delivery to places of use further south.

Combined limitations calculated as follows:

* Annual volume for 33-02094: $437 \text{ acres} \times 3.5 \text{ acre feet} = 1530 \text{ acre feet}$. (note that diversion rate of $\frac{4.11}{4.08}$ cfs is adequate to deliver; $\frac{4.11}{4.08} \times 1.983 \times 214 \text{ days} = \frac{1744}{1731}$ acre feet).

Because 100% of POU of 33-07038 overlaps 33-02094, combined volume = 1530 acre feet.

$437 \text{ acre POU} \times 0.02 \text{ cfs/acre}$ would justify combined diversion rate of 8.74 cfs. Since 33-07038 and 33-02094 diversion rates sum to less than this, no combined diversion rate limitation is applied.

C03 condition applied to 33-02094 to reflect addition of second POD in section 29.

+ Analysis in file pointed to 4.11 cfs but original claim A33-02094A was for 4.08 cfs

To: A33-02094
Fr: Bryce Contor
Date: 12/21/1999

Bryce A. Contor

Re: Signed Claim

Record A33-02094 created for convenience of Adjudication. For fees and signed claim, see A33-02094A.

39.7

③ NHEL
NW
152.1

④ NHEL
NW
33.8

⑧ NHEL
NW
385

⑦ NHEL
NW
285

348
T-461
G OWENS

OMALLEY

② NHEL
NW
1416.5

⑥ NHEL
NW
80.4

1818
2419

1817
1920

①
42.7

CLAIM NO(S): A33-02094
DATE: 16 Aug 95 T 6N R 29E
SOURCE OF DOC: ASCS

SIGNATURE: *McKibbin*

103.0

⑤
27.3

631 NHEL
NW
T-343
HANSEN

A33-02094A
POINT OF DIVERSION

629 NHEL
NW
T-385
PANCHERI INC.

③7

③9

PLACE OF USE

①5

③8

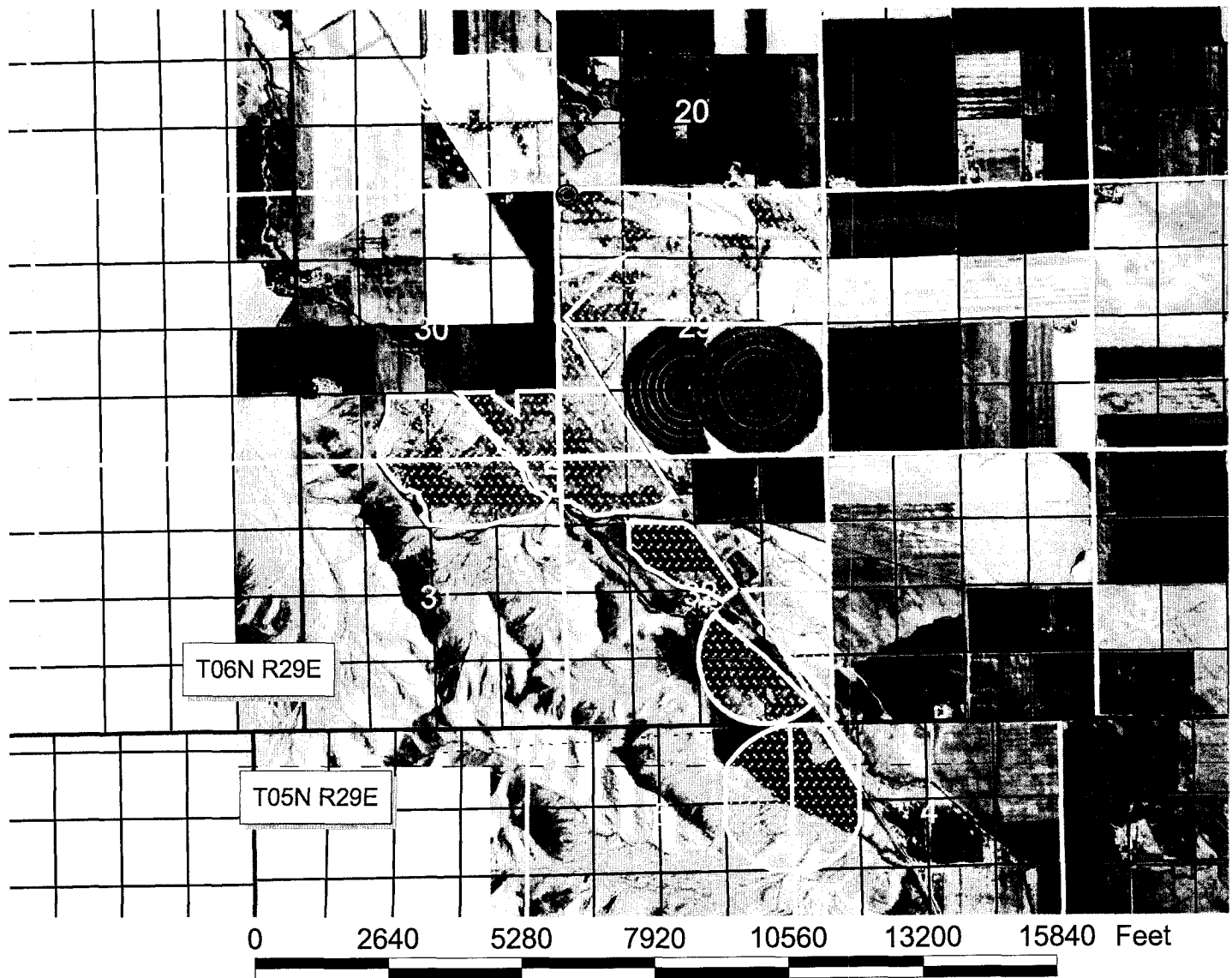
①
127.4

1/8 mi.
①
186.0



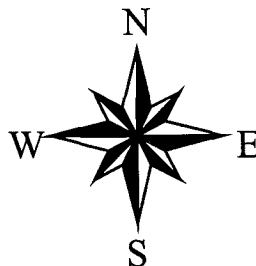
Department of Water Resources

Claim No.: 33-2094
33-7038



Irrigated Acres = 991

- Well.shp
- Water rights.shp
- Townships
- Sections
- QQ



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

03/12/2002

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

RIGHT NUMBER: 33-2094
NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

MODIFIED PER TRANSFER 2368522

SOURCE: GROUND WATER
QUANTITY: 4.11 CFS
1,530.0 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1530 AF.

PRIORITY DATE: 09/11/1960

POINT OF DIVERSION:

T06N R29E S29 NWNWNW Within BUTTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
4.110 CFS
1,530.00 AFY

PLACE OF USE:

IRRIGATION Within BUTTE County

T05N R29E S04 Lot 4	NWNW	41.0	T05N R29E S04	SWNW	34.0
T05N R29E S05 Lot 1	NENE	37.0	T05N R29E S05	SENE	34.0
T06N R29E S19	NESE	40.0	T06N R29E S19	NWSE	36.0
T06N R29E S19	SWSE	14.0	T06N R29E S19	SESE	38.0
T06N R29E S29	NENE	33.0	T06N R29E S29	NWNE	39.0
T06N R29E S29	SWNE	39.0	T06N R29E S29	SENE	32.0
T06N R29E S29	NENW	39.0	T06N R29E S29	NWNW	38.0
T06N R29E S29	SWNW	26.0	T06N R29E S29	SENW	40.0
T06N R29E S29	NWSW	15.0	T06N R29E S29	SWSW	35.0
T06N R29E S29	SESW	3.0	T06N R29E S30	SESW	26.0
T06N R29E S30	SWSE	37.0	T06N R29E S30	SESE	35.0
T06N R29E S31	NENE	28.0	T06N R29E S31	NWNE	39.0
T06N R29E S31	NENW	12.0	T06N R29E S32	SWNE	11.0
T06N R29E S32	NENW	16.0	T06N R29E S32	NWNW	31.0
T06N R29E S32	SENW	30.0	T06N R29E S32	NESE	36.0
T06N R29E S32	NWSE	18.0	T06N R29E S32	SWSE	31.0
T06N R29E S32	SESE	28.0			

991 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437 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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

03/12/2002

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

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL MEASURE THE DIVERSION OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
BLAINE COUNTY CANAL CO.

RIGHT NO. 33-07038 IS ALSO DIVERTED THROUGH POINT OF DIVERSION IN
SECTION 29, DESCRIBED ABOVE.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER 68522
BY OCTOBER 17, 2001.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER
IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

AJ0749NP
No. R33-02094

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

DATE: 12/21/99
PAGE: 1

OWNER
CODE
C PANCHERI INC
NAME & ADDRESS
PRIORITY
DATE
09/11/1960
WATER USE
IRRIGATION
USE PERIOD
FROM
04-01
TO
11-01
DIVERSION
RATE
4.110 CFS
DIVERSION
VOLUME
1530.00 AFA
TOTAL DIVERSION:
4.110 CFS
1530.00 AFA

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T06N R29E S19
S29
NWNWSE
NWNWNW

Place of use Legal Description for: IRRIGATION

NE NW SE SW
NENE NWNE SUNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SUSE 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 : SUM
06N 29E 19 : 40 40 39 39 : 40 38 32 40 : : : 40 36 15 38 : 129.0
06N 29E 29 : 40 40 39 39 : 40 38 32 40 : : : 40 36 15 38 : 308.0
TOTAL ACRES : 437.0

POU County: BUTTE

Other Rights: BLAINE COUNTY CANAL CO SHARES, 33-07038

Conditions of Approval:

- 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.
E18 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- BLAINE COUNTY CANAL CO.
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1530 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 437 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

RIGHT NO. 33-07038 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION IN SECTION 29, DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag: C
Presumption Flag:

Pou # 91, 92

Pou # 75, 76

AJ0749NP
No. R33-02094

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

DATE: 12/21/99
PAGE: 2

Comments:

Date: 08/16/1995 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
SECOND PD USED TO IRRIGATE THIS PROPERTY SINCE BEFORE 1987
CONFORMED ATTORNEY MAILING ADDRESS DMS

*

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

Date: 11/24/1999 User-ID: BCONTOR Subject: SEASON OF USE
CHANGED TO MATCH LICENSE. BCONTOR.

Date: 11/29/1999 User-ID: BCONTOR Subject: SPLIT
ORIGINAL RIGHT 33-02094 WAS SPLIT INTO JACK MAYS AND ADA MAYS
MCAFFEE PORTIONS BY SALE. ADA MAYS MCAFFEE PORTION UNCLAIMED
IN AJ. JACK MAYS PORTION EVENTUALLY OWNED BY PANCHERI,
RECOMMENDED AS 33-02094A AND 33-02094B TO REFLECT PHYSICAL
LOCATIONS OF POD'S AND DELIVERY SYSTEM. BCONTOR.

SPLIT RECOMBINED 12/21/1999 PER NOE PROCESS. BCONTOR.

Audit: 12/21/99 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: A33-02094

Date Received: 1/ 5/1993

Receipt No: X777777

Received By: *[Signature]*

DUPLICATE
CLAIM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DUPLICATE
CLAIM

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

208-767-3419

83244

2. Date of Priority: SEP 11, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	29E	19	NW	SE			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	4.290		

7. Total Quantity Appropriated is:

4.290 C.F.S. (and/or) 1380.00 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
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

SPLIT RIGHT

A33-02094A = 4.08 CFS (438 AC.)

*

TOTAL = 4.08 CFS (438 AC.)

*

33-02094 = 4.29 CFS (460 AC.)

*

THIS RIGHT IS UNDER CLAIMED. CLF 1-5-93

INVESTIGATION HAS SHOWN NONUSE OF THE REMAINING PORTION OF THIS RIGHT.

* A AND B SPLITS RECOMBINED PER ADDITIONAL INFO PRESENTED AS PART OF NOE PROCESS. BCONTOR 12/21/1999.

15. Basis of Claim: LICENSE

Water Right Number: 28971

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 _____ of
Title

PANCHERI 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]
Signature of Authorized Agent

PANCHERI INC
Title and Organization

Dec 29, 1999
Date

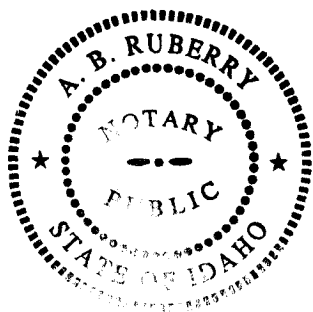
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of Dec. 19 99

Aaron B. Ruberry
Notary Public

Seal

Residing at Bonneville ID
My Commission Expires 9/23/03



Old (D) Number - 28971

Address

HARRY H.

1 2 3

City- HOWE
Phone -

State- ID Zip- 83244

$$\begin{array}{c} + \\ - \\ - \end{array}$$

Tributary

- - - - -

(23) BUTTE

- - - - -

17/01

4,290

- Total (

Description	Amount
...	...

29E	06N	19	NE SE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	19	NW SE	39.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	19	SW SE	32.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	19	SE SE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	NE NE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	NW NE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	SW NE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	SE NE	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	NE NW	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	NW NW	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	SW NW	29.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE
29E	06N	29	SE NW	40.0	01	IRRIGATION	01	IRRIGATION	(23)	BUTTE

$$\begin{array}{r} 4.29 \\ - 1.18 \\ \hline 4.11 \end{array}$$

Total Acres: 460.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

Other Rights for Same Use -

460-19 = 441 acres

Edward Mc
Hale Dear

$$\frac{4,29}{460} = 0.009326$$
$$\frac{1/8}{0.009326} = 19.3 \text{ acres} \approx 19 \text{ acres}$$

$$6/8 \approx 16 \text{ acres}$$

Water right number - 33-02094

Prefix Translation: WATER RIGHT

	Remarks
	No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

+ - - -	- - - +	+ - - -	- - - +	+ - - -	- - - +	+ - Decree Date - +
						00/00/0000

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

+ - - Audit Fields - 03/26/85 05/22/88 CONVERT

	Water Rights Dates and Flags Area	
Proof Due Date	- 00/00/0000	Field Exam Made - 00/00/0000
Approved/Denied	- 00/00/0000	Protested Date - 00/00/0000
Proof Made Date	- 00/00/0000	Hearing Date - 00/00/0000
Exam to S.O. Date	- 00/00/0000	Verified Date - 03/26/1985
Order Show Cause	- 00/00/0000	Receipt Number -
Licensed Date	- 04/19/1979	Appl Received - 00/00/0000
Presumption Flag	-	Name Connector -
SRBA Decreed Flag	-	
		Field Exam Fee -
		Swan Falls -
		Temporary Right - P
		DLE/Carey Act -
		Water District -
		Transfer/Amended -
		POU Ownership Flag -