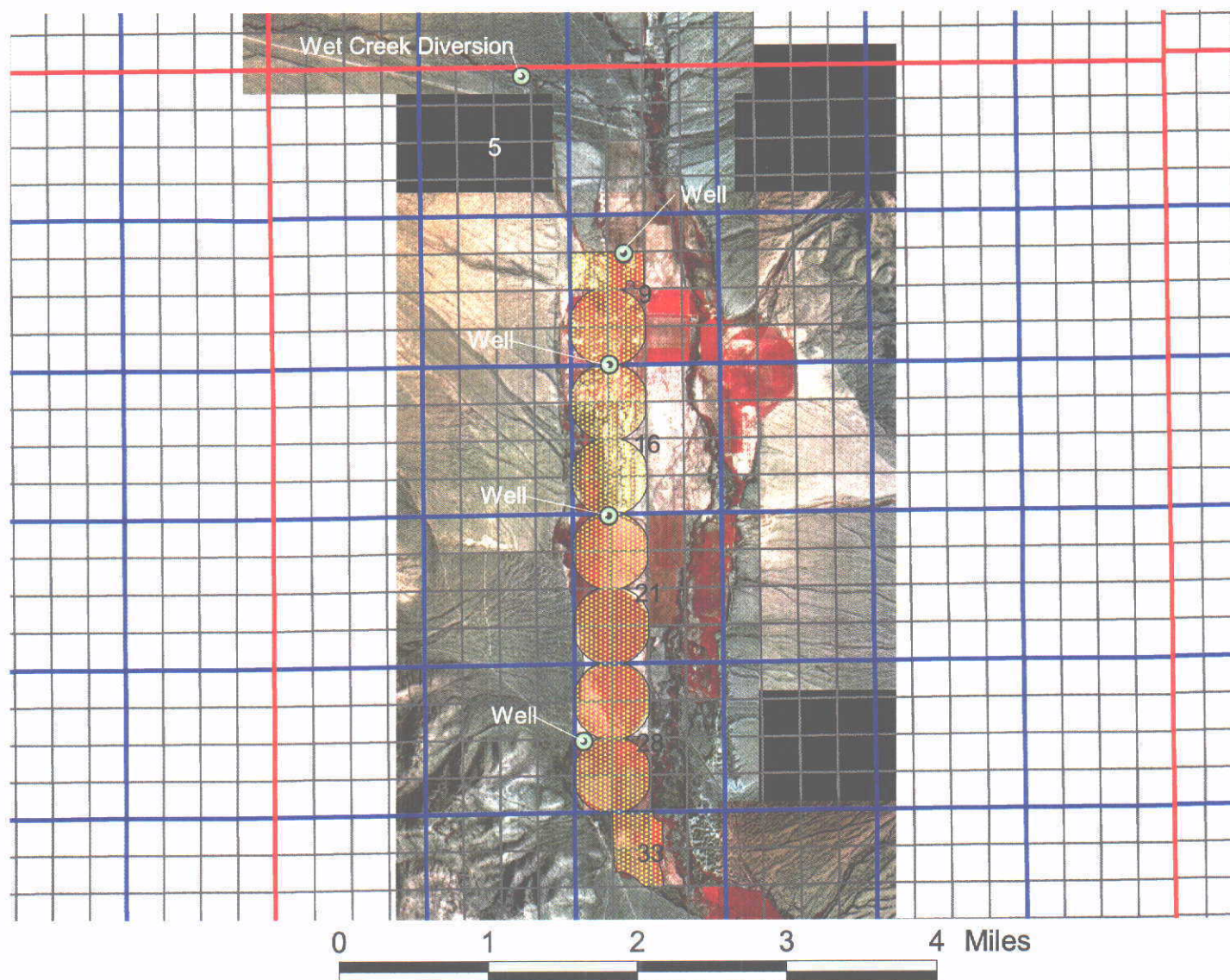




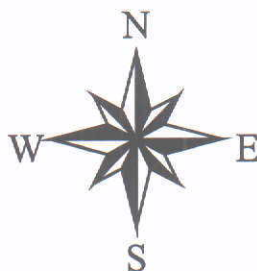
Department of Water Resources

Claim No.: 33-84, 33-85, 33-90E, 33-2065,
33-2066A, 33-2066B, 33-7015,
33-7202, 33-10070, 33-10998



Irrigated Acres = 1122

- Pod.shp
- T68885.shp
- Townships
- Sections
- QQ



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

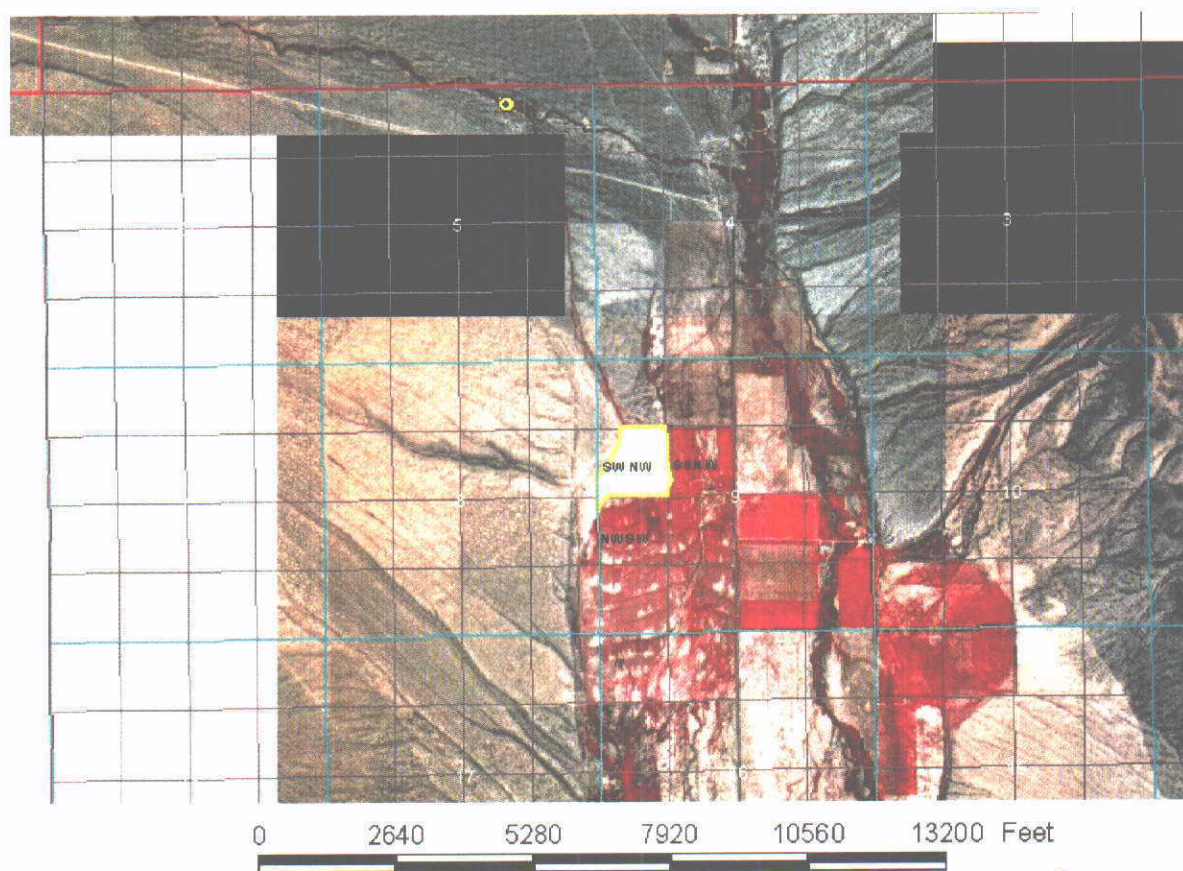


STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-10998

T09N R27E



LEGEND

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

Irrigated Acres = 36



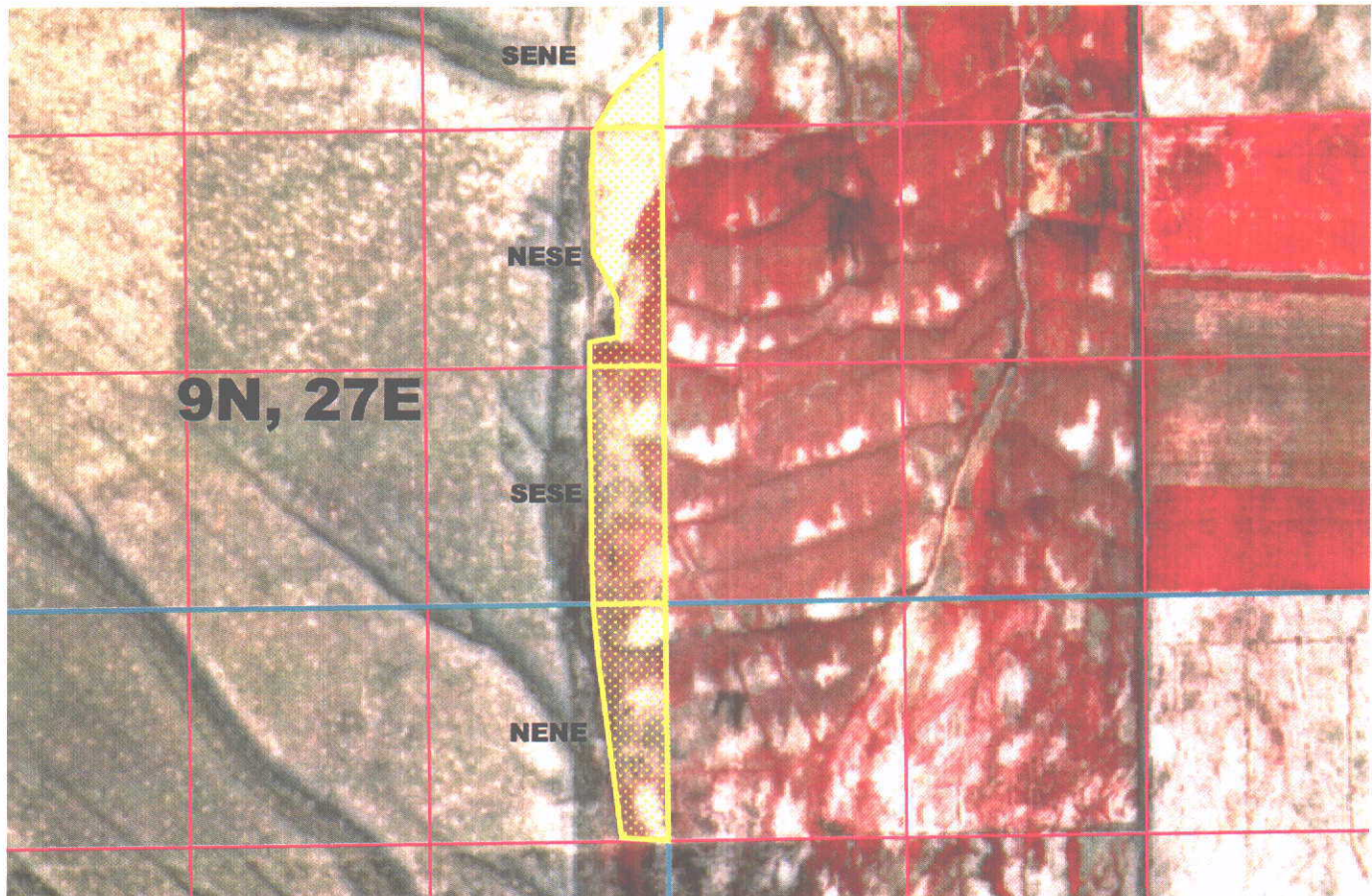
GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: October 2001



STATE OF IDAHO

Department of Water Resources
Eastern Region

WR No(s): 33-10998



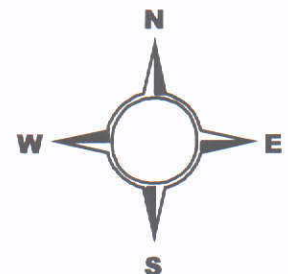
1320 0 1320 Feet

Total Irrigated Acres: 36

**POU: 09N, 27E, Sect 8, SENE, NESE, SESE
Sect 17, NENE**

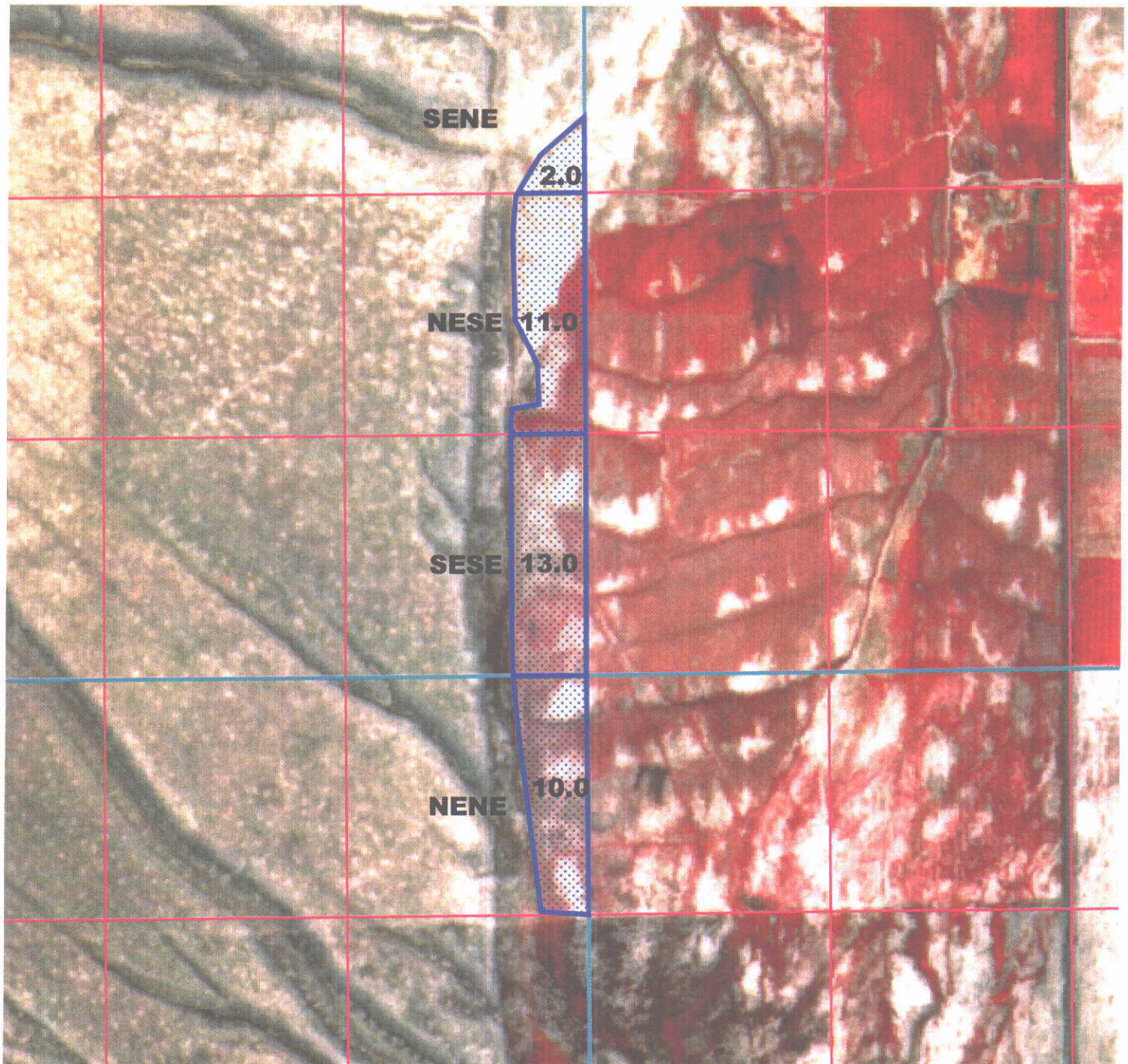
POD: 09N, 27E, Sect. 5, NENWNE

-  Place of Use
-  Quarter Quarter
-  Sections



**GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000**

WR No(s): 33-10998



**POU: 09N, 27E, Sect 8, SENE
NESE
SESE
Sect 17, NENE**

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

Case No. 39576

)
)
)
)
ORDER OF PARTIAL DECREE

)
For Water Right 33-10998

On March 12, 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 33-10998 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2002



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 33-10998

2002 MAY -1 AM 9:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

SOURCE: WET CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.71 CFS
126.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.98 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS.:
33-00084, 33-00085, 33-10998.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 18.73 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3927.0 AF. COMBINED RIGHT NOS.: 33-84, 33-85,
33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070,
33-10998.

PRIORITY DATE: 04/15/1927

POINT OF DIVERSION: T09N R27E S05 LOT 02 (NENWNE) Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.71 CFS 126.00 AFY

PLACE OF USE:	Irrigation		Within Butte County
	T09N R27E S09	SWNW 40.0	SENW 37.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S16	NENW 34.0	NWNW 34.0
		SWNW 34.0	SENW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S21	NENW 34.0	NWNW 34.0
		SWNW 34.0	SENW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S28	NENW 34.0	NWNW 34.0
		SWNW 34.0	SENW 34.0
		NESW 34.0	NWSW 34.0
		SWSW 34.0	SESW 34.0
	S33	NWNE 12.0	SWNE 11.0
		NENW 40.0	SENW 30.0
	1122.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND
33-00084.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 1122 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A,
33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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): 33-10998

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 33-10998 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

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/01/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2002

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

RE: Transfer #68885 for water right(s) 33-84, 33-85, 33-7015, 33-7202, 33-10070 and 33-10998 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On November 7, 2001, the Idaho Department of Water Resources (IDWR) approved Transfer #68885, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

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

Respectfully,

Cheri Vandermeulen
Records 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

)
)

Water Rights: 33-84, 33-85, 33-7015,
33-7202, 33-10070 AND 33-10998

Case No. 39576

)
)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 68885

☐ point of diversion

☒ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

☐ other

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

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

DATED:

January 4, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 4, 2002, 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:
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cheri Undermaulen

Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68885

This is to certify that: PANCHERI INC
 C/O HOLDEN KIDWELL
 HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405
 (208)523-0620

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
33-85	AJC/Decreed	04/15/1891	2.88 cfs		249.0	249.0	DRY CREEK
33-84	AJC/Decreed	03/14/1891	2.10 cfs		249.0	249.0	WET CREEK
33-7015	AJC/License	05/22/1972	1.77 cfs		249.0	249.0	GROUND WATER
33-10998	AJC/Beneficial Use	04/15/1927	0.71 cfs	126.0 af	36.0	36.0	WET CREEK
33-7202	AJC/License	11/08/1995	3.11 cfs	1050.0 af	300.0	300.0	GROUND WATER
33-10070	AJC/Decreed	05/25/1891	1.50 cfs	507.5 af	145.0	145.0	WET CREEK
33-90E	AJC/Decreed	04/01/1887	0.40 cfs	169.8 af	145.0	145.0	WET CREEK
33-2066A	AJC/License	11/17/1952	3.56 cfs	871.5 af	249.0	249.0	GROUND WATER
33-2066B	AJC/License	11/17/1952	0.52 cfs		364.0	364.0	GROUND WATER
33-2065	AJC/License	11/17/1952	4.66 cfs		364.0	364.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-85	NO	YES	YES	NO	NO	NO - AT ISSUE
33-84	NO	NO	YES	NO	NO	NO - AT ISSUE
33-7015	NO	NO	YES	NO	NO	NO - AT ISSUE
33-10998	NO	NO	NO	NO	NO	NO - AT ISSUE
33-7202	NO	NO	YES	NO	NO	NO - AT ISSUE
33-10070	NO	NO	YES	NO	NO	NO - AT ISSUE
33-90E	NO	NO	YES	NO	NO	NO - PD
33-2066A	NO	NO	YES	NO	NO	NO - PD
33-2066B	NO	NO	YES	NO	NO	NO - PD
33-2065	NO	NO	YES	NO	NO	NO - PD

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-85	33-85	2.88 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-84	33-84	2.1 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-7015	33-7015	1.77 cfs	750 af	249.0	1,122.0		N/A	N/A		N/A
33-10998	33-10998	0.71 cfs	126 af	36.0	1,122.0		N/A	N/A		N/A
33-7202	33-7202	3.11 cfs	1050 af	300.0	1,122.0		N/A	N/A		N/A
33-10070	33-10070	1.5 cfs	507.5 af	145.0	1,122.0		N/A	N/A		N/A
33-90E	33-90E	0.4 cfs	106.8 af	30.5	1,122.0		N/A	N/A		N/A
33-2066A	33-2066A	3.56 cfs	871.5 af	249.0	1,122.0		N/A	N/A		N/A
33-2066B	33-2066B	0.52 cfs	220.3 af	66.0	1,122.0		N/A	N/A		N/A
33-2065	33-2065	4.66 cfs	1116.5 af	319.0	1,122.0		N/A	N/A		N/A
TOTALS		18.73 cfs	3927 af	1122	1122		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7 day of Nov, 2001_____
Chief, Water Allocation Bureau

WATER RIGHT NO. 33-10998
As Modified by Transfer No. 68885

In accordance with the approval of Transfer No. 68885, Water Right No. 33-10998 is now described as follows.

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

Priority Date: 04/15/1927

Source: WET CREEK

Tributary: LITTLE LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.71 CFS	126.0 AF
			0.71 CFS	126.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WET CREEK NENWNE Sec. 5 Twp 09N Rge 27E 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	
09N 27E 9							40.0	37.0	34.0	34.0	34.0	34.0					213.0
09N 27E 16					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 21					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 28					34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0					272.0
09N 27E 33		12.0	11.0		40.0			30.0									93.0

Total Acres: 1122

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 this water right in the ongoing Snake River Basin Adjudication.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 33-10998
As Modified by Transfer No. 68885

CONDITIONS OF APPROVAL

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. This right is limited to the irrigation of 36 acres within the place of use described above in a single irrigation season.
8. Rights 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-10070 and 33-10998 when combined shall not exceed a total diversion rate of 18.73 cfs, a total annual maximum diversion volume of 3927.0 af at the field headgate, and the irrigation of 1122 acres.
9. Rights 33-84, 33-85, 33-7015 and 33-10998 when combined shall not exceed a total diversion rate of 4.98 cfs, a total annual maximum diversion volume of 997.5 af at the field headgate, and the irrigation of 285 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 _____ day of _____, 20____

Chief, Water Allocation Bureau

N AP
Sent
3-2-01

TRANSFER APPLICATION STAGE

1) Recommended rights being transferred (from Part 2). Check IWTRS for partial decrees.

1. 33-00084
2. 33-00085
3. 33-00090E p.d.

4. 33-02005 p.d.
5. 33-02066A p.d.
6. 33-02066B p.d.

33-07015
33-07202
33-10070
33-10998

*2) Overlapping recommended rights before and after proposed change. Check IWTRS for partial decrees.

1.
2.
3.

4.
5.
6.

TRANSFER APPROVAL STAGE

*1) Pedigree for parents and splits (children) due to approved transfer

*2) Any additional overlapping recommended rights

1.
2.
3.

4.
5.
6.

* To be completed by agent

*Rights listed on this TX AND
ALL THATS INVOLVED*



MEMORANDUM

To: Transfer File 68885

From: Sharla

Date: November 8, 2001

Re: Combined Diversion Rate

On this date, Ernie Carlsen notified me of an amended transfer that occurred last week modifying the combined rate of diversion limitation under Rights 33-84, 33-85, 33-7015 and 33-10998. Because the AJ records were not immediately updated in the computer database, I prepared the transfer approval for 68885 using the old combined limitation, unaware of the amended transfer.

The transfer had not yet been mailed out when the error was brought to my attention so the approval document was changed and re-signed. The combined rate of diversion under the four rights also affected the grand total under the newly approved transfer so those changes were also made in the new approval document. The transfer had already been updated in the database, which means that I am unable to make the changes to the updated AJ records. Regional AJ staff will be responsible for changing the appropriate records to match the amended combined totals.

Ruberry, Allen

From: Ruberry, Allen
Sent: Monday, February 26, 2001 10:20 AM
To: Shaff, Don
Subject: B33-Pancheri Tx's

Per our discussion this a.m., the following is a listing of the tx's and rights involved.

Tx # 5796 (approved)
33-00090E PARTIAL DECREE issued
33-10070 BLM Objection (Sawmill Ck issue) NO PD

Basically, this tx moves these two rights onto Pancheri lands (off Oar property). The language regarding the Sawmill Ck issue of right 33-10070 is the reason for the BLM objection. However, we (Bryce and I) thought it was completed since we had bowed to BLM to adjust the language for the POD's. Now, there are the two Little Lost River rights left at the Oar place; 33-00108, 33-00110 (both PD'd), both require Remark adjustment. The Tx moves the rights to Wet creek to be delivered with other surface water rights (33-00084, 33-00085) and enlargement claim (33-10998). See Tx # 68885, below.

33-10998 was objected to because of a BLM trespass issue, Transfer # 5780 completed this task. No Partial Decree was issued; NAP, Version 2, and NCAP completed.

Now, along comes the MEGA Transfer # 68885. This Transfer seeks to make a Permissible POU of the following rights;

33-00084 NO PD- BLM Objection-Sawmill Ck issue
33-00085 NO PD
33-07015 NO PD
33-10998 NO PD
33-07202 NO PD
33-10070 ~~PD issued~~- See tx 5796 *No PD*
33-00090E ~~NO PD~~- See tx 5796 *PD issued.*
33-02066A PD issued
33-02066B PD issued
33-02065 PD issued

As we discussed, we in Adj. do not have the system capability to make changes to the PD's. The non-PD'd rights can be changed on Adj. with no real problem (NAP's, Version 2, NCAP's), however, there is specific need with this series of Tx's to know there is a finality of all rights involved. Allocations can't do Adjudication's part and vice versa due to system capabilities, but they need done together.

As always, thanks for the HELP.....al

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33-00084 NO PD- BLM Objection-Sawmill Ck issue
33-00085 NO PD
33-07015 NO PD
33-10998 NO PD
33-07202 NO PD
33-10070 PD issued- See tx 5796
33-00090E NO PD- See tx 5796
33-02066A PD issued
33-02066B PD issued
33-02065 PD issued

As we discussed, we in Adj. do not have the system capability to make changes to the PD's. The non-PD'd rights can be changed on Adj. with no real problem (NAP's, Version 2, NCAP's), however, there is specific need with this series of Tx's to know there is a finality of all rights involved. Allocations can't do Adjudication's part and vice versa due to system capabilities, but they need done together.

As always, thanks for the HELP.....al



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2001

PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE ID 83244

RE: Amended Transfer #5780 for water right(s) 33-10998, and overlapping rights 33-84, 33-85 and 33-7015 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Pancheri:

On November 1, 2001, the Idaho Department of Water Resources (IDWR) approved Amended Transfer #5780, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

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

Respectfully,

Cheri Vandermeulen
Records Clerk

CERTIFICATE OF MAILING

I certify that on Dec. 14, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
PANCHERI INC
C/O JERRY PANCHERI PRES
HC 65 BOX 2104
HOWE ID 83244
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record
KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

TRANSFER APPLICATION STAGE

1) Recommended rights being transferred (from Part 2). Check IWTRS for partial decrees.

1.	33-10998 (No PD)	4.
2.		5.
3.		6.

*2) Overlapping recommended rights before and after proposed change. Check IWTRS for partial decrees.

1.	33-00084	4.
2.	85	5.
3.	7015	6.
	7202	

} NO PDs

NAP sent 7/14/00

TRANSFER APPROVAL STAGE

*1) Pedigree for parents and splits (children) due to approved transfer

NO SPLITS

*2) Any additional overlapping recommended rights

1.	33-10070 (NO PD)	4.
2.		5.
3.	33-00090E (PD)	6.

BY TX #5796

* To be completed by agent

ML

RECEIVED

NOV 07 2001

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 5780 (68464)

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

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
33-10998	AJC/Beneficial Use	04/15/1927	0.71 cfs		36.0	36.0	WET CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
33-10998	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-10998	33-10998	0.71 cfs	126 af	N/A	36.0		N/A	N/A	N/A	N/A
TOTALS		0.71 cfs	126 af	N/A	36.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-10998
As Modified by Transfer No. 5780 (68464)

In accordance with the approval of Transfer No. 68464, Water Right No. 33-10998 is now described as follows.

Right Holder: PANCHERI INC
 C/O HOLDEN KIDWELL HAHN
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 04/15/1927

Source: WET CREEK

Tributary: LITTLE LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15 to	10/31	0.71 CFS	126.0 AF
			0.71 CFS	126.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WET CREEK NENWNE Sec. 5 Twp 09N Rge 27E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N 27E 9							34.2	1.3				.5					36.0

Total Acres: 36

CONDITIONS OF APPROVAL

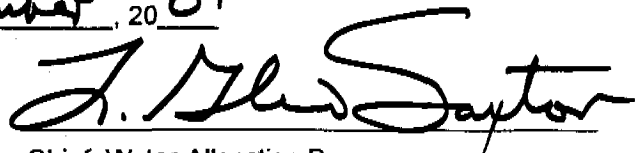
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

WATER RIGHT NO. 33-10998
As Modified by Transfer No. 5780 (68464)

7. Rights 33-00084, 33-00085, 33-07015 and 33-10998 when combined shall not exceed a total diversion rate of 4.98 cfs, a total annual maximum diversion volume of 997.5 af at the field headgate, and the irrigation of 285.0 acres.
8. Approval of Transfer 5780 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. Rights 33-00084 and 33-00085 are also diverted through the point of diversion described above.

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 1st day of November, 2001


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5780
WATER RIGHT NO. 33-10998

Eastern
RECEIVED

OCT 26 2000

Department of Water Resources
Eastern District Office

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	* 0.71 CFS	126.0 AF *

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

Priority: 04/15/1927

LOCATION OF POINT(S) OF DIVERSION: NENWNE, Sec. 5, Township 09N, Range 27E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N 27E 9	SWNW 34.2	SENW 1.3	NWSW 0.5	36.0
Total number of acres irrigated:				36.0 *

CONDITIONS OF APPROVAL AND REMARKS

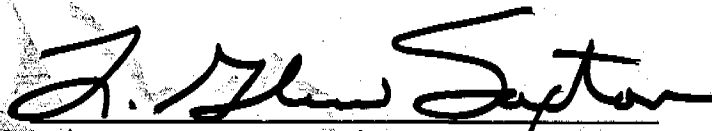
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5780
WATER RIGHT NO. 33-10998

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
- * 7. Rights 33-00084, 33-00085, 33-07015 and 33-10998 when combined shall not exceed a total diversion rate of 4.89 cfs, a total annual maximum diversion volume of 997.5 af at the field headgate, and the irrigation of 285.0 acres.
8. Approval of Transfer 5780 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. Rights 33-00084 and 33-00085 are also diverted through the point of diversion described above.

Dated this 23rd day of October, 2000.

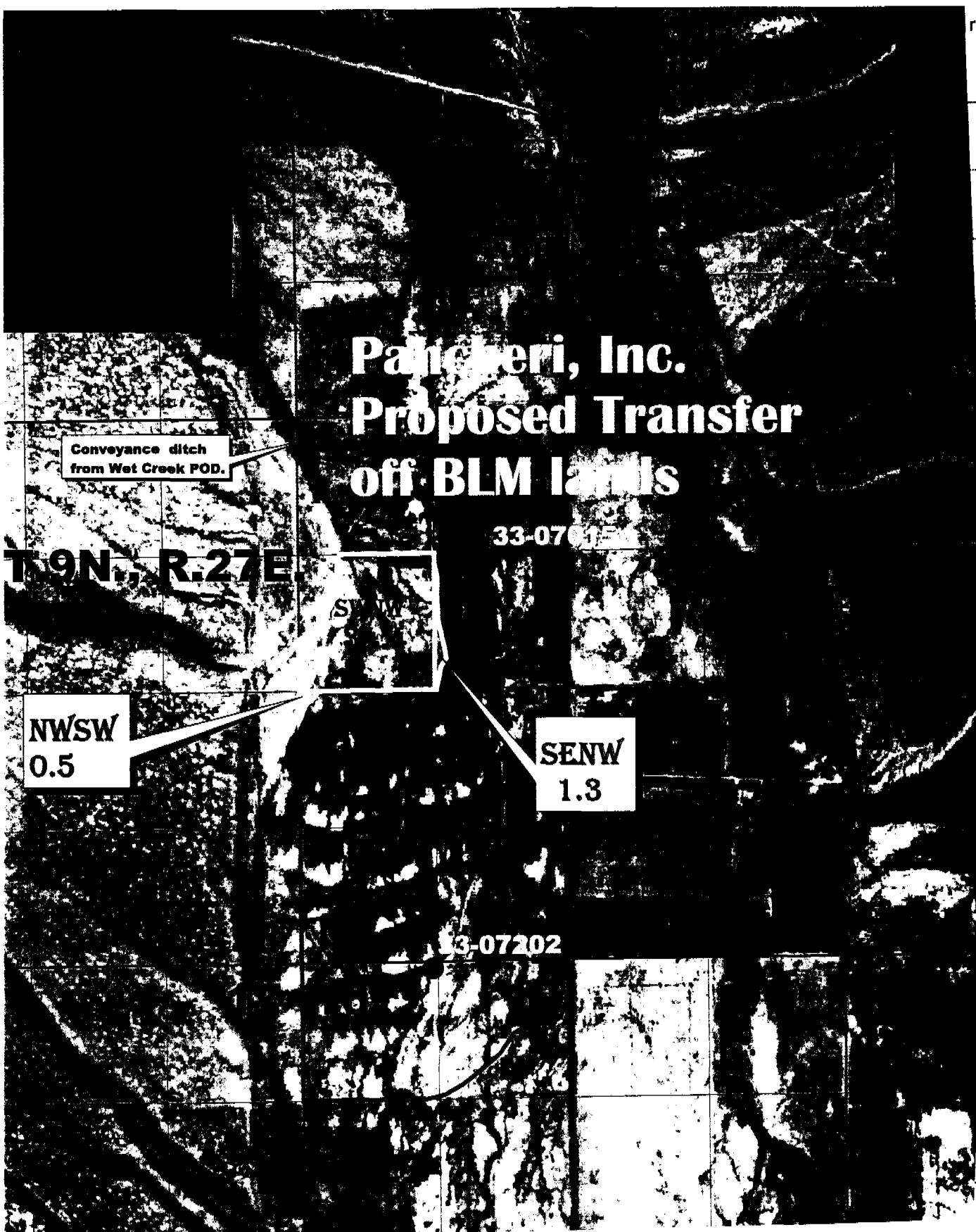

Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A.

rights



Sc

Ruberry, Allen

From: Ruberry, Allen
Sent: Wednesday, November 15, 2000 2:44 PM
To: McHugh, Candice; Music, Vicky
Subject: Outstanding SF1's

I just finished a conversation with Skip Jones to review the MAANY Pancheri Transfers (pending).
He has the following;

TX	wr#s	name reference
5796	10070, 00090E	Oar water (private)
5797	10997	Badger Creek (BLM)
5798	00101A	South Creek (BLM)
5780	10998	Reed place (BLM)

33-10070 and 33-00090E are the two I was trying to tell you (Vicky) are going to go to the Reed Place to Permissible Place of Use with 33-07202, 7015, 84, 85, 10998.

33-10997 is BLM (enlarge of 33-02068A).
wow.....al



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

February 27, 2001

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

RE: Application for Transfer #68885 (33-84, 33-85, 33-7015,
33-7202, 33-10070, 33-10998) and Notice of Administrative
Proceeding (NAP)

Dear Mr. Foster:

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,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

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

)

)

)

Case No. 39576

)

)

Water Rights: 33-84, 33-85, 33-7015,
33-7202, 34-10070, 33-10998

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

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

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

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

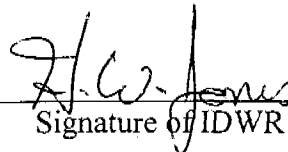
☐ I.C. § 42-222 transfer **68885**

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **FEB 27, 2002**

DATED: 2-28-01



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
KENT FOSTER
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:
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cheri Undermeulen

Signature of person or attorney mailing the form

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

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

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

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

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

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

DATED: 10/25/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

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

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

Kent Easter

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

Steve Horvath
Deputy Clerk



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 2000

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

RE: Application for Transfer #5780 (33-10998 & OVERLAPPING
RIGHTS 33-00084, 33-00085, 33-07015) and Notice of
Administrative Proceeding (NAP)

Dear Sir:

On June 20, 2000, the Idaho Department of Water Resources (IDWR)
received an Application for Transfer for the above referenced water
right(s).

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

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA)

Water Rights: 33-10998 &
OVERLAPPING RIGHTS
33-00084, 33-00085, & 33-07015

Case No. 39576)
_____)

NOTICE OF ADMINISTRATIVE
PROCEEDING

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

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

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer **5780**

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **JULY 12, 2001**

DATED: 13 July 00

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 14, 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
N/A
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

RECEIVED

APR 10 2000

Department of Water Resources

**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 33-10998

(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:

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)

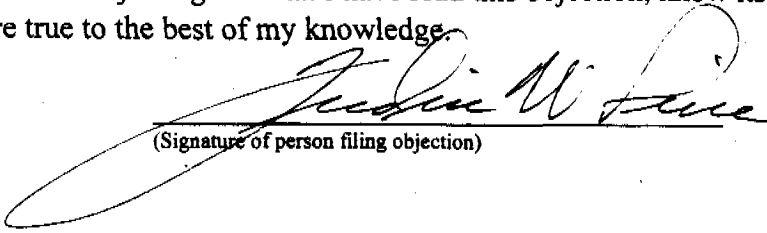
) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

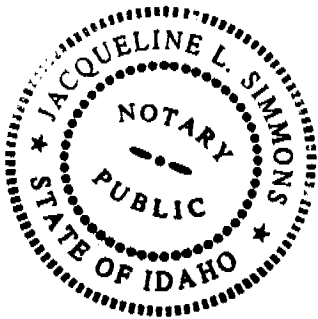
(Name of person filing objection)

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 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:

Address:

Name:

Address:

Name:

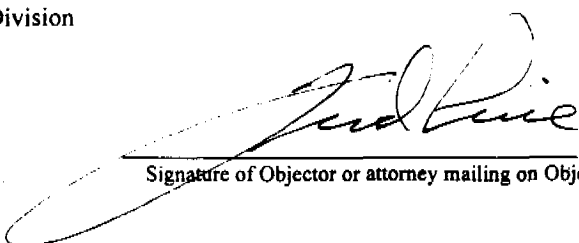
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 33-10998

NAME & ADDRESS: PANCHERI INC
JERRY PANCHERI PRES
HOWE ID 83244HC 65 Box 2104

SOURCE: WET CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.71 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.:
33-07015, 33-00085, AND 33-00084.

PRIORITY DATE: 04/15/1927

POINT OF DIVERSION: T09N R27E S05

NENWNE BLM

Within BUTTE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-15 10-31QUANTITY
0.71 CFS

PLACE OF USE:

IRRIGATION
T09N R27E S08
S17
36 ACRES TOTAL

Within BUTTE County

SENE 2 BLM
NENE 10 BLM

NESE 1 BLM

SESE 1 BLM

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND
33-00084.

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 - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085Issue:① Point of diversion on BLM

② Places of use on BLM

→ Farming on public land is not authorized

RECEIVED

FEB 22 2000

Department of Water Resources
Eastern Region

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

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

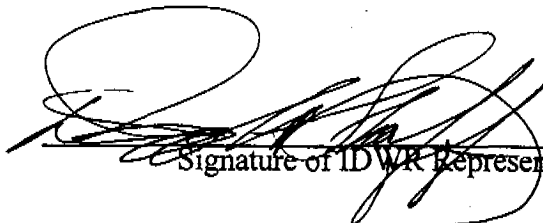
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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

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

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

Dated: 2/15/00

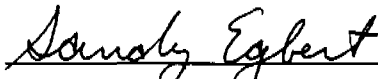


Signature of IDWR Representative

CERTIFICATE OF MAILING

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

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Pancheri, Inc.
C/O Jerry Pancheri, President
HC 65 Box 2104
Howe, ID 83244
3. One Copy to:
Each party in the subcase or attorney of record:
Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P.O. box 50130
Idaho Falls, ID 83405
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-15-2000
PAGE: A-22

RIGHT NUMBER: 33-10998

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

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.71 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.:
33-07015, 33-00085, AND 33-00084.

PRIORITY DATE: 04/15/1927

POINT OF DIVERSION: T09N R27E S05 NENWNE Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-31	0.71 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County		
	T09N R27E S08	SENE 2	NESE 11	SESE 13
	S17	NENE 10		
	36 ACRES TOTAL			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND
33-00084.

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.

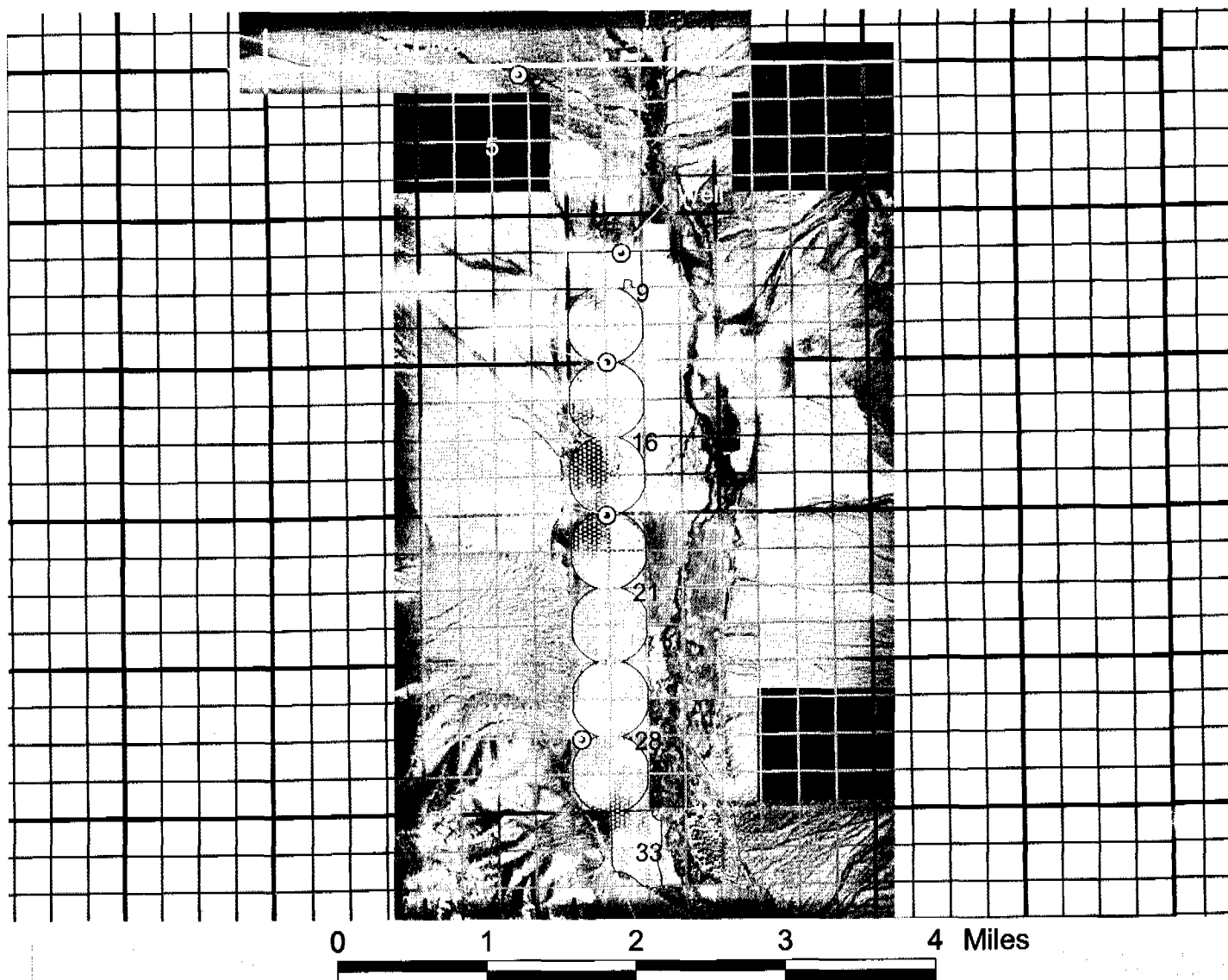
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085



Department of Water Resources

Claim No.: 33-84, 33-85, 33-90E, 33-2065,
33-2066A, 33-2066B, 33-7015,
33-7202, 33-10070, 33-10998



Irrigated Acres = 1122

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

01/07/2002

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

RIGHT NUMBER: 33-10998
NAME AND ADDRESS: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.710 CFS
126.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS.: 33-00084, 33-00085,
33-10998.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 18.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 3927.0 AF. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065,
33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

PRIORITY DATE: 04/15/1927

POINT OF
DIVERSION: T09N R27E S5 NENWNE Lot 2 Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.710 CFS 126.00 AFY

PLACE OF USE: IRRIGATION Within BUTTE County

T09N R27E S16	NENW	34.0	T09N R27E S16	NWNW	34.0
T09N R27E S16	SWNW	34.0	T09N R27E S16	SENW	34.0
T09N R27E S16	NESW	34.0	T09N R27E S16	NWSW	34.0
T09N R27E S16	SWSW	34.0	T09N R27E S16	SESW	34.0
T09N R27E S21	NENW	34.0	T09N R27E S21	NWNW	34.0
T09N R27E S21	SWNW	34.0	T09N R27E S21	SENW	34.0
T09N R27E S21	NESW	34.0	T09N R27E S21	NWSW	34.0
T09N R27E S21	SWSW	34.0	T09N R27E S21	SESW	34.0
T09N R27E S28	NENW	34.0	T09N R27E S28	NWNW	34.0
T09N R27E S28	SWNW	34.0	T09N R27E S28	SENW	34.0
T09N R27E S28	NESW	34.0	T09N R27E S28	NWSW	34.0
T09N R27E S28	SWSW	34.0	T09N R27E S28	SESW	34.0
T09N R27E S33	NWNE	12.0	T09N R27E S33	SWNE	11.0
T09N R27E S33	NENW	40.0	T09N R27E S33	SENW	30.0
T09N R27E S09	SWNW	40.0	T09N R27E S09	SENW	37.0
T09N R27E S09	NESW	34.0	T09N R27E S09	NWSW	34.0
T09N R27E S09	SWSW	34.0	T09N R27E S09	SESW	34.0

1122 ACRES TOTAL

01/07/2002

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-00084.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1122 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070, 33-10998.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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: BASIS OF CLAIM - Beneficial Use

works of a The right holder shall maintain a measuring device and lockable controlling
type approved by the Department in a manner that will provide the watermaster
suitable control of the diversion.
cfs per This right when combined with all other rights shall provide no more than 0.02
the lands acre nor more than 3.5 afa per acre at the field headgate for irrigation of
above.
The right holder shall accomplish the change authorized by this transfer by
November 7, 2002.
Failure of the right holder to comply with the conditions of this transfer is
cause for the Director to rescind approval of the transfer.

12/07/2001

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

RIGHT NUMBER: 33-10998 **Modified per Amended Transfer 5780(68464)**

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

SOURCE: WET CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.710 CFS
126.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT NOS.: 33-00084, 33-00085,
33-7015.

PRIORITY DATE: 04/15/1927

POINT OF
DIVERSION:

T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.710 CFS <u>126.00 AFY</u>

PLACE OF USE: IRRIGATION Within BUTTE County

<u>T09N R27E S09</u>	<u>SWNW</u>	<u>34.2</u>	<u>T09N R27E S09</u>	<u>SENW</u>	<u>1.3</u>
<u>T09N R27E S09</u>	<u>NWSW</u>	<u>0.5</u>			

36 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND 33-00084.

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 - Beneficial Use



STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-10998

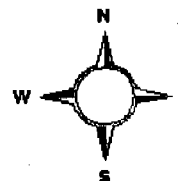
T09N R27E



LEGEND

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

Irrigated Acres = 36



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

02/09/2001

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

RIGHT NUMBER: 33-10998 Recommended per Tx #5780

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

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.71 CFS
126 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.89 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 997.5 AF. COMBINED RIGHT
NOS.: 33-00084, 33-00085, 33-10998.

PRIORITY DATE: 04/15/1927

POINT OF DIVERSION: T09N R27E S5 NENWNE Within BUTTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-15 10-31

QUANTITY
0.71 CFS
126.00 AFY

PLACE OF USE:

IRRIGATION Within BUTTE County
T09N R27E S9 SWNW
T09N R27E S9 NWSW

34.2
0.5

T09N R27E S9

SENW

1.3

36 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085,
AND 33-00084

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 - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085

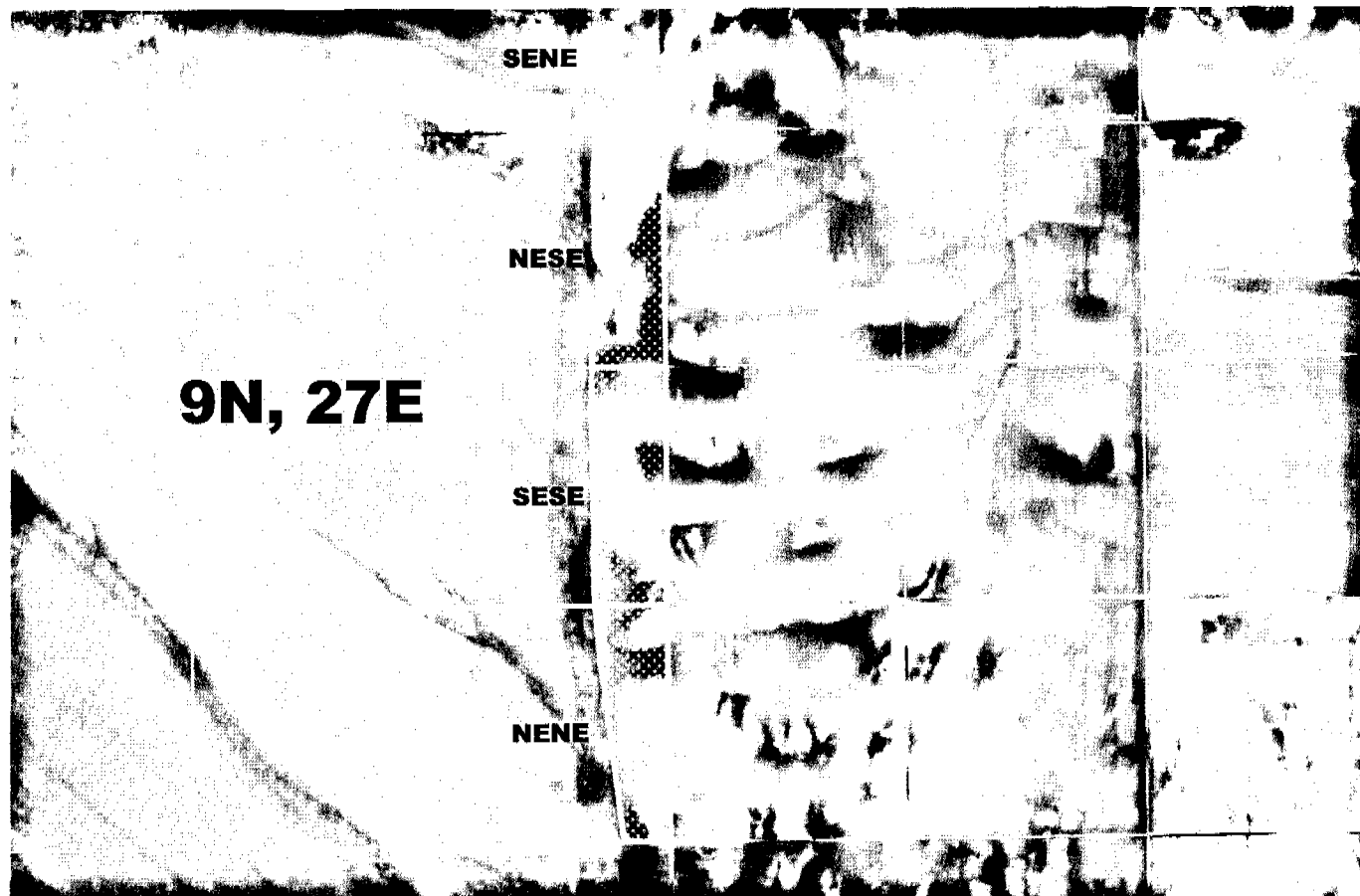
THIS RIGHT IS FOR AN ENLARGEMENT OF 36.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.



STATE OF IDAHO

Department of Water Resources
Eastern Region

WR No(s): 33-10998



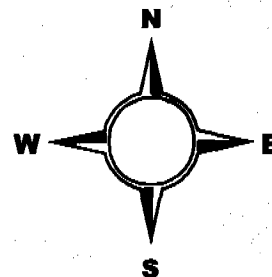
1320 0 1320 Feet

Total Irrigated Acres: 36

**POU: 09N, 27E, Sect 8, SENE, NESE, SESE
Sect 17, NENE**

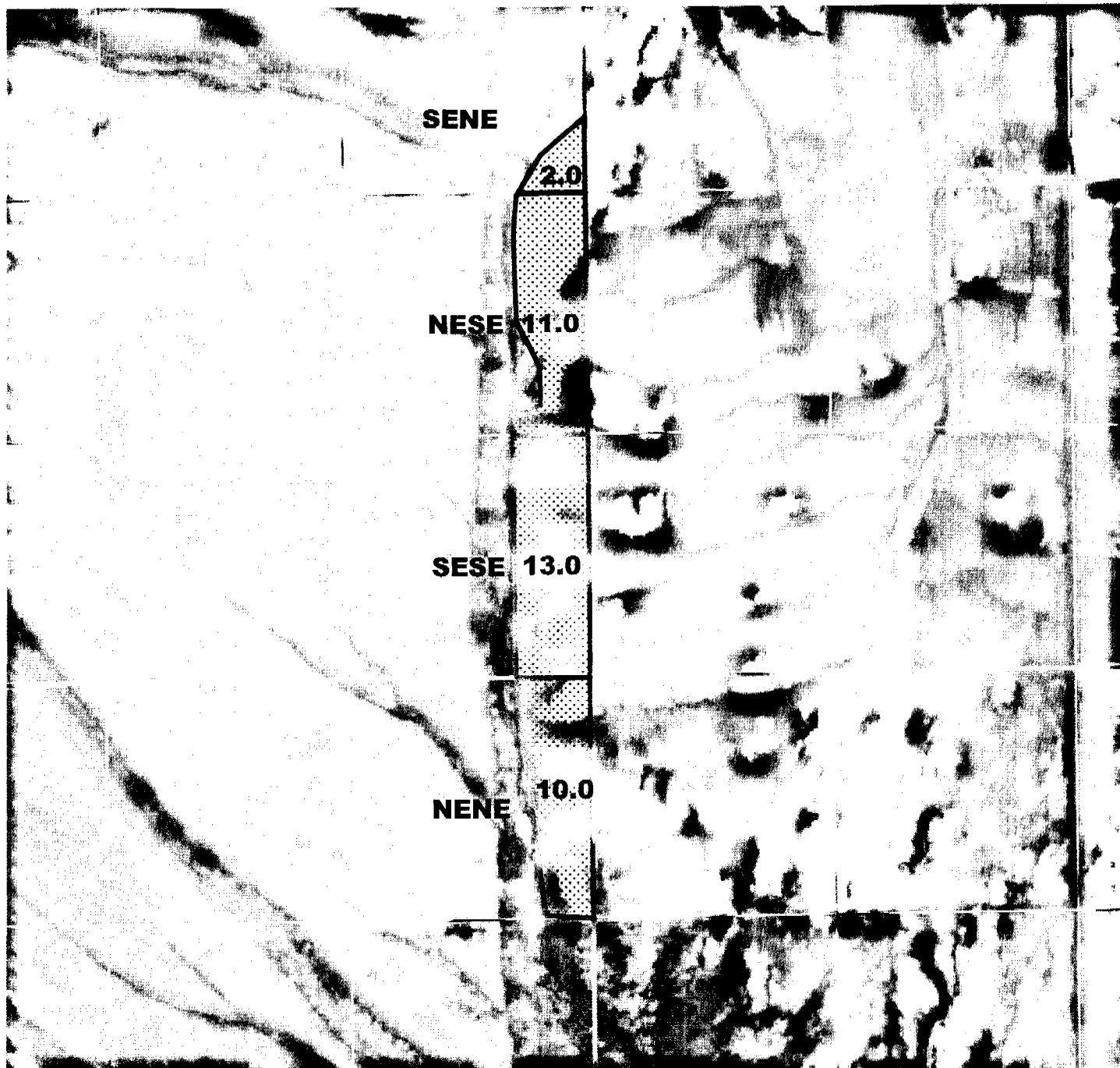
POD: 09N, 27E, Sect. 5, NENWNE

-  Place of Use
-  Quarter Quarter
-  Sections



**GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000**

WR No(s): 33-10998



POU: 09N, 27E, Sect 8, SENE

NESE

SESE

Sect 17, NENE

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/14/00 11:37:36
Page 1

Water Right Number - 33-10998

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** A - ATTORNEY ***
FOSTER

KENT W

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

State- ID Zip- 83405

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

1 - C/O JERRY PANCHERI PRES
2 - HC 65 BOX 2104
3 -
City- HOME
Phone - 208-767-3419

State- ID Zip- 83244

Priority Date - - +
04/15/1927

Region - - - +
15 EASTERN

Stage - - - +
J - BENEFICIAL USE

Status - - - +

Source - - - - +
MET CREEK

Tributary - - - - +
LITTLE LOST RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
09N 27E 5 NE NW NE (23) BUTTE

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/31 0.710

+ - Total Div. Rate - + + - Total Div. Volume - +
0.710

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	27E	8	SE NE		2.0		01	IRRIGATION	(23) BUTTE
09N	27E	8	NE SE		11.0		01	IRRIGATION	(23) BUTTE
09N	27E	8	SE SE		13.0		01	IRRIGATION	(23) BUTTE
09N	27E	17	NE NE		10.0		01	IRRIGATION	(23) BUTTE

Total Acres: 36.0

+ - - Diversion Means - HEADGATE AND DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 33-00084, 33-00085, 33-07015

DO NOT FILM

Water right number - 33-10998

Prefix Translation: WATER RIGHT

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.:
33-07015, 33-00085, AND 33-00084.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-07015, 33-00085, AND
33-00084.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00084, 33-00085

No Old Water Right Numbers Found

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

Date: 01/12/2000 User Id: HJONES Subject:
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.:
33-00084, 33-00085, 33-07015. THIS IS BLM LAND WHICH HAS BEEN IRRIGATED HISTORICALLY.
TRANSFER IS REQUIRED TO MOVE ACRES OFF TO PRIVATE.
Date: 02/14/2000 User Id: SSHERMAN Subject: DATA ENTRY
ADDED CLAIMANT DELIVERY ADDRESS TO DATA ENTRY STANDARDS;
PANCHERI CLAIMS. CORRECTED MISPELLED CITY NAME, ADDED KENT FOSTER TO MATCH OTHER

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 - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 01/12/2000 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - E025563 Water District -
POU Ownership Flag - N Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag - E
Notice of Error Flag -

DO NOT FILM

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-10998
Date Received: 1/12/2000
Receipt No: 6025563
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

208-767-3419

83244

2. Date of Priority: MAR 5, 1927

3. Source: WET CREEK

Trib. to: L

*Original
Sent to
Court.*

4. Point of Diversion:

4-20-00

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	27E	5	NE	NW	NE		BUTTE

310998

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.710		

7. Total Quantity Appropriated is:
0.710 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 of	Lot	Use	Acres
09N	27E	8	SE	NE		IRR	2.0
			NE	SE		IRR	11.0
			SE	SE		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	26.0
		17	NE	NE	IRR	10.0
					Section Acres	10.0
					Total Acres	36.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
33-00084, 33-00085, 33-07015

14. Remarks:
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.89 CFS. COMBINED RIGHT NOS.:
33-00084, 33-00085, 33-07015.

15. Basis of Claim: BENEFICIAL USE

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 attorney of
Sanchez, Inc. Title
 Organization, that I have signed the foregoing
 document in the space below as attorney of
Sanchez, Inc. Title
 Organization and that the statements contained in the
 foregoing document are true and correct. Paul D. Tate

Paul D. White
Signature of Authorized Agent

~~2001-0014~~
Title and Organization

Date _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of January 20 00 Austin B. Rios
Notary Public

Austin B. Rubottom
Notary Public

Seal



Residing at Edna Faus Lane

My Commission Expires 09/23/03