

COMBINED CLAIM

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04/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10214

WATER RIGHT NUMBER: 2-10214

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	INITIAL BUTTE FARMS INC PO BOX 277 NAMPA, ID 83651
Original Owner	SOUTHWEST INC PO BOX 2562 NYSSA, OR 97913 (541) 372-3921
Original Owner	INITIAL BUTTE PARTNERSHIP PO BOX 1565 NYSSA, OR 97913 (503)889-6935

RECEIVED

APR 22 2003

Department of Water Resources

Priority Date: 07/28/1964

Basis: License

Status: **See Remarks**

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15	11/15	4.620 CFS	1,039.50 AF
	<u>Total Diversion:</u>		4.620 CFS	1,039.50 AF

Location of Point(s) of Diversion

SNAKE RIVER	L4 (SW1/4NE1/4)	Sec. 35,	Twp 01S,	Rge 01W, B.M.	ADA County
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Place of Use

IRRIGATION Within ADA County

T01S R01W S26	NENW	38.0	T01S R01W S26	NWNW	38.0
T01S R01W S26	SWNW	38.0	T01S R01W S26	SENW	39.0
T01S R01W S26	NESW	38.0	T01S R01W S26	NWSW	40.0

Total Acres: 231

Conditions of Approval:

Remarks:

1. General This claim is the result of a split due to change in ownership for a portion of 02-2358. DH 11/12/2002
2. General This claim has been combined with 02-10215 back to the original number 02-2358 due to change in ownership received 7/16/2002. United Water has purchased all acres covered on 02-10215 and this claim, in which are results of a previous split of 02-2358. DH 4/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 2-10214

Comments:Dates and Other Information:

Claim Received Date: 5/25/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Shurte, Jan

From: Lester, Steve
Sent: Friday, December 27, 2002 4:15 PM
To: Shaff, Don; Shurte, Jan; Skaggs, Pam
Subject: Application for Exchange

United Water ID filed an application for exchange involving 2-2341, 2-2358 and 2-2420. The ajclaims are the same except 2-2358 was recently split into 2-10214 and 2-10215. The applicant provided sufficient information for wr *and* aj records to be updated to United Water upon approval of the exchange.

The application is being processed. Statewide legal notices will run the last half of January with an early February protest deadline.

Exchanges are processed outside of Work Flow so an application id number is n/a. I created an electronic folder in the "Transfer\Western Region" site on A012 to store things. The e'folder name is "United Water 2-2341."

At this time, the legal notice and draft review memo are stored there. In the next week or so when the application is run through the advertising process, the application will be scanned to the e'folder.

Although parallel processing is not required, I used this technique to make information more readily available to Western aj staff, Western office day staff, and SO staff in lieu of copying the application etc.

Please let me know if you have any questions about this exchange application. The draft review memo tells the story if you are interested at this point.

Steve

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 02-10214
Date Received: 5/25/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTHWEST INC
PO BOX 2562
NYSSA OR USA 97913

Phone: (541) 372-3921

2. Date of Priority: 07/28/1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	01W	35	SW NE 4	ADA	

5. Description of diverting works:

4 PUMPS IN RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.62	1039.5

7. Total Quantity Appropriated is:

4.62 C.F.S. and/or 1039.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
01S	01W	26	NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	38
			SE	NW	IRRIGATION	39
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	40
Section Acres						231
Total Acres						231

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 02-2358. DH 11/12/2002

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JUN 19 2000

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources
 Incomplete forms will be returned.

1. Water Right No(s): SEC. 27 AND SEC. 28- 02-2358
 Adjudication Claim No(s): A02-02358

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**. (POINT OF DIVERSION IS IN SEC. 35)

3. Name and Address of Former Owner/Claimant INITIAL BUTTE FARMS, INC.

Box 2562, NYSSA, OR. 97913

4. New Owner/Claimant(s)

Duane Pancheri and Laura Pancheri

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

19010 S. CANADA ROAD

City, State and ZIP Code

MELBA, ID. 83641

New Telephone Number

(208) 495-2513

5. Date you acquired the property MARCH 15, 1982

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 494 Number and type of stock _____

Diversion rate in CFS 8.6364 Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Duane Pancheri
 or Claimant(s) Laura Pancheri

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

02 - 2358 725 acres = 0.02/4.5

02-10214

Southwest
See attached

231 acres

4.62 cfs

1039.50 AFA

Pancheri

02-10215

See attached

494 Acres

9.88 cfs

2223 AFA

5/25/89

02-10214

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2358

WATER RIGHT NUMBER: 2-2358

Owner Type Name and Address
Current Owner INITIAL BUTTE PARTNERSHIP
 PO BOX 1565
 NYSSA, OR 97913
 (503)889-6935
Original Owner INITIAL BUTTE FARMS INC
 PO BOX 277
 NAMPA, ID 83651

Southwest

Priority Date: 07/28/1964

Basis: License

Status: Active

Source Tributary
SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	14.500 CFS	3,262.50 AF
	<u>Total Diversion:</u>	14.500 CFS	3,262.50 AF

Location of Point(s) of Diversion

SNAKE RIVER L4 SW1/4NE1/4 Sec. 35, Twp 01S, Rge 01W, B.M.
ADA 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	
01S 01W 26					38.0	38.0	38.0	39.0	38.0	40.0							231.0
01S 01W 27	40.0	38.0	39.0	40.0	37.0	37.0	37.0	37.0					29.0				334.0
01S 01W 28	40.0	40.0	40.0	40.0													160.0

Total Acres: 725

Conditions of Approval:

Remarks:

- General THIS RT. WHEN COMBINED WITH RTS. 02-2420 & 02-2341 SHALL NOT EXCEED 35.21 CFS.

WARRANTY DEED

FOR VALUE RECEIVED, INITIAL BUTTE FARMS, INC., an Idaho corporation, the Grantor, does hereby grant, bargain sell and convey unto DUANE PANCHERI and LAURA PANCHERI, husband and wife, whose address is Route 1, Melba, Idaho 83641, the Grantees, the following described premises, to-wit:

The Northeast Quarter of Section 28; and the North Half and the Northeast Quarter of the Southeast Quarter, all in Section 27; all in Township 1 South, Range 1 West of the Boise Meridian, in Ada County, Idaho.

TOGETHER WITH 520/2120ths interest in the items set forth in Exhibit "A" attached hereto and made a part hereof;

TOGETHER WITH the water rights appurtenant to the above described real property as set forth in Water License Nos. 002358, 022341, 002420, issued by the State of Idaho, Department of Water Resources.

TOGETHER WITH any and all easements and rights of way appurtenant to the above described real property.

SUBJECT TO any United States patent restrictions and/or any possible State of Idaho deed restrictions;

SUBJECT TO all taxes and assessments for the year 1982 and all subsequent years;

SUBJECT TO any easements or rights of way of record and/or usage.

ADA COUNTY RECORDER
J. DAVID NAVARRO
CLERK

1990 APR -5 PM 2:47

RECORDED-REQUEST OF

FEE 9.00 DEPUTY M. Papil

99033026

TO HAVE AND TO HOLD the same premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that it will warrant and defend the same from all lawful claims whatsoever. PIONEER TITLE

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 15th day of March, 1982.

STATE OF IDAHO

County of

)
:
ss.
)

On this 15 day of March, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared John H. Brundt and Gene Steing

known to me to be the President and Secretary, respectively, of the corporation that executed the within and foregoing instrument, and acknowledged to me that said corporation executed the same.

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



John H. Brundt
Notary Public for Idaho,
Residing at Kona, Idaho.

EXHIBIT "A"

Pumping station located near the Northwest corner of the Southwest Quarter in Section 35, Township 1 South, Range 1 West, Boise Meridian, Ada County, Idaho, on the Snake River, consisting of three 600 horsepower motors and one 700 horsepower motor and respective pumps, and electrical panel boxes, and concrete base, together with right of way.

Penstock air chamber with compressor and penstock, approximately 1,540 feet, connecting river station and concrete ditch, together with respective rights-of-way.

Licensed water rights from Snake River.

All concrete ditch connecting the penstock from river station to and including Pond No. 1.

All concrete ditch connecting and including Pond No. 2 and Pond No. 3.

All concrete ditch connecting and including Pond No. 3 and Pond No. 4.

All concrete ditch connecting and including Pond No. 4 and Pond No. 5.

All concrete ditch connecting and including Pond No. 5 and Pond No. 6.

Van Dyke Mobile Home, 60' x 12', located in the City of Melba.

Weed sprayer.

Pipe press and trailer.

1980 Ford pickup, with C-B radio, and pickup tool box.

T1783

1A
84.4

HEED
NU

T1782

HEED
NU

1
153.5

T1903

HEED
NU
27.4

84.0

HEED
NU

HEED
32.0 NU

27 26

27 26
34 35

COPY

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 02-2358
Date Received: 5/25/1989
Receipt No: C007048
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTHWEST INC
PO BOX 2562
NYSSA OR USA 97913

Phone: (541) 372-3921

2. Date of Priority: 07/28/1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	01W	35	SW NE 4	ADA	

5. Description of diverting works:

4 PUMPS IN RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	14.5	3262.5

7. Total Quantity Appropriated is:
14.5 C.F.S. and/or 3262.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	01W	26	NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	38
			SW	NW		IRRIGATION	38
			SE	NW		IRRIGATION	39
			NE	SW		IRRIGATION	38
			NW	SW		IRRIGATION	40
						Section Acres	231
01S	01W	27	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	38
			SW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	37
			NW	NW		IRRIGATION	37
			SW	NW		IRRIGATION	37
			SE	NW		IRRIGATION	37
			NE	SE		IRRIGATION	29
						Section Acres	334
01S	01W	28	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	160
						Total Acres	725

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership change by DH 11/12/2002

THIS RT. WHEN COMBINED WITH RTS. 02-2420 & 02-2341 SHALL NOT EXCEED 35.21 CFS.

15. Basis of Claim: License