

JAN 29 2019

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 83044**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Pancheri Brothers LLC**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.****Yes N/A** * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Authorization letter for Pancheri Inc and Pancher Brothers LLC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Pancheri Brothers LLC Phone 208-339-1293
Mailing address 1494 Hwy 33, Howe, Idaho 83244 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Rocky Mountain Environmental Assoc. Inc Phone 208-524-2353
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Rod Pancheri Partner
Print Name and Title if applicable

1-13-19
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes to change the place of use to better farm ground downstream. A pipeline will be installed to convey the water right to the new POU. This transfer application is paired with another application that is removing a portion of the ground water right at the proposed POU.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	33-2138	2.36 / 412.4	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	33-7040	3.97 / 695.8	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	33-7172	0.60 / 105.8	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	33-101A	1.90 cfs	Irrigation	4/1 to 11/1	South Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.47 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 8.47 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	28E	1							35	32	38	32		27		11	40	23	238
		12	40	40	40	26	40				26								212
Total Acres (for irrigation use)																			450

Ron Pl 5-22-19

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	33-2138	2.21 cfs	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7040	3.71 cfs	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7172	0.56 cfs	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-101A	1.9 cfs	Irrigation	4/01 to 11/01	South Crk & Little Lost Rv
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.05 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 8.05 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	28E	1							35	32	38	32		27		11	40	23	238
		12	40	40	40	26	40				26								212
Total Acres (for irrigation use)																			450

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Two existing wells deliver ground water to two existing pivots and one proposed half pivot. A new pipeline will be installed from the existing POD on South Creek to connect to the mainline at POU. All rights will be comingled in existing system. Existing measuring device on wells and a weir at South Creek POD.

- b. Who owns the property at the point(s) of diversion? Wells-Applicant; South Creek - David Bell
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
South Creek diversion is an existing historical diversion on property owned by David Bell. No changes to diversion. An easement has been obtained with BLM for the pipeline to cross to POU.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Although the acres irrigated under right 33-101A do not correlate exactly to the described place of use, the total amount of the water right has been used on the applicant's property. Upon approval of this transfer, all lands now irrigated or described under 33-101A will be retired from irrigation.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other associated water rights at the POU's. No other water rights at the existing wells. At the South Creek POD, right 33-101B is also diverted to a neighboring property.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☒ ☐ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

An application was submitted in 2018 to lease the unused portion of 33-101A to the WSB for 1 year. An approved lease has not yet been issued. If this transfer is granted, then the WSB application will become unnecessary.

IDAHO Department of Water Resources



WATER RIGHT REPORT

1/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PANCHERI BROTHERS LLC 1460 HWY 33 HOWE, ID 83244 2087673419

Priority Date: 03/03/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.63 CFS	460 AFA
Total Diversion			2.63 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

IRRIGATION Use:

Acre Limit: 131.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	28E	1		SWNW	31.2		SENW	29.3						
				NESW	26.8		NWSW	28		SESW	20.5			
				SWSE	36.6		SESE	19.4						
				NENE	37.7		NWNE	40		SWNE	37.9		SENE	20.3
		12												

NENW 38.2

SENW 20.9

Total Acres: 386.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 131.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-2138 and 33-7040 when combined shall not exceed a total diversion rate of 6.66 cfs.
3. X35 Rights 33-2138, 33-7040 and 33-7172 when combined shall not exceed a total diversion rate of 7.33 cfs and the irrigation of 386.8 acres.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 419

Combined Volume Limit: 1466.5

Combined Rate Limit: 7.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO Department of Water Resources



WATER RIGHT REPORT

1/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-7040

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PANCHERI BROTHERS LLC 1460 HWY 33 HOWE, ID 83244 2087673419

Original Owner	ROBERT D HALL
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Priority Date: 10/16/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	4.43 CFS	776 AFA
Total Diversion			4.43 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

IRRIGATION Use:

Acre Limit: 221.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	28E	1		SWNW	31.2		SENE	29.3						
				NESW	26.8		NWSW	28		SESE	20.5			
				SWSE	36.6		SESE	19.4						

	12	NENE	37.7	NWNE	40	SWNE	37.9	SENE	20.3
		NENW	38.2	SENW	20.9				

Total Acres: 386.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 221.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-2138 and 33-7040 when combined shall not exceed a total diversion rate of 6.66 cfs.
3. X35 Rights 33-2138, 33-7040 and 33-7172 when combined shall not exceed a total diversion rate of 7.33 cfs and the irrigation of 386.8 acres.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

Permit Proof Due Date: 11/1/1980

Permit Proof Made Date: 10/14/1980

Permit Approved Date: 11/25/1975

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 10/16/1975

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 419

Combined Volume Limit: 1466.5

Combined Rate Limit: 7.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO Department of Water Resources



WATER RIGHT REPORT

1/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-7172

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PANCHERI BROTHERS LLC 1460 HWY 33 HOWE, ID 83244 2087673419

Priority Date: 04/02/1985

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.67 CFS	118 AFA
Total Diversion			0.67 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

GROUND WATER | NWSWNW | Sec. 01 | Township 06N | Range 28E | BUTTE County

IRRIGATION Use:

Acre Limit: 33.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	28E	1		SWNW	31.2		SENE	29.3						
				NESW	26.8		NWSW	28		SESW	20.5			
				SWSE	36.6		SESE	19.4						
				NENE	37.7		NWNE	40		SWNE	37.9		SENE	20.3
		12												

NENW 38.2

SENW 20.9

Total Acres: 386.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 33.7 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-2138, 33-7040 and 33-7172 when combined shall not exceed a total diversion rate of 7.33 cfs and the irrigation of 386.8 acres.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 933 This right is for the use of trust water, and it is subject to review 20 years after its initial approval (October 4, 1990) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

Permit Proof Due Date: 10/1/1993

Permit Proof Made Date: 11/9/1992

Permit Approved Date: 10/4/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 04/02/1985

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 459

Combined Volume Limit: 1606.5

Combined Rate Limit: 8.7

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO Department of Water Resources



WATER RIGHT REPORT

1/15/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-101A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Original Owner NORTH AMERICAN MORTGAGE CO

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH CREEK	LITTLE LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.9 CFS	440 AFA
Total Diversion			1.9 CFS	

Location of Point(s) of Diversion:

SOUTH CREEK|NWNWNW|Sec. 29|Township 07N|Range 29E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	29E	30		NWNE	14.9		SWNE	24.8						
				SENE	22.5									

NESW	29.5
NWSE	5.1

SESW	28.9
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Total Acres: 125.7

Conditions of Approval:

1. RIGHT NO. 33-00101B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. 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.
3. THE USE OF WATER WITHIN T07N, R29E, S30, NESW DOES NOT INCLUDE FEDERAL PUBLIC LAND.

Dates:

Licensed Date:

Decreed Date: 06/14/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

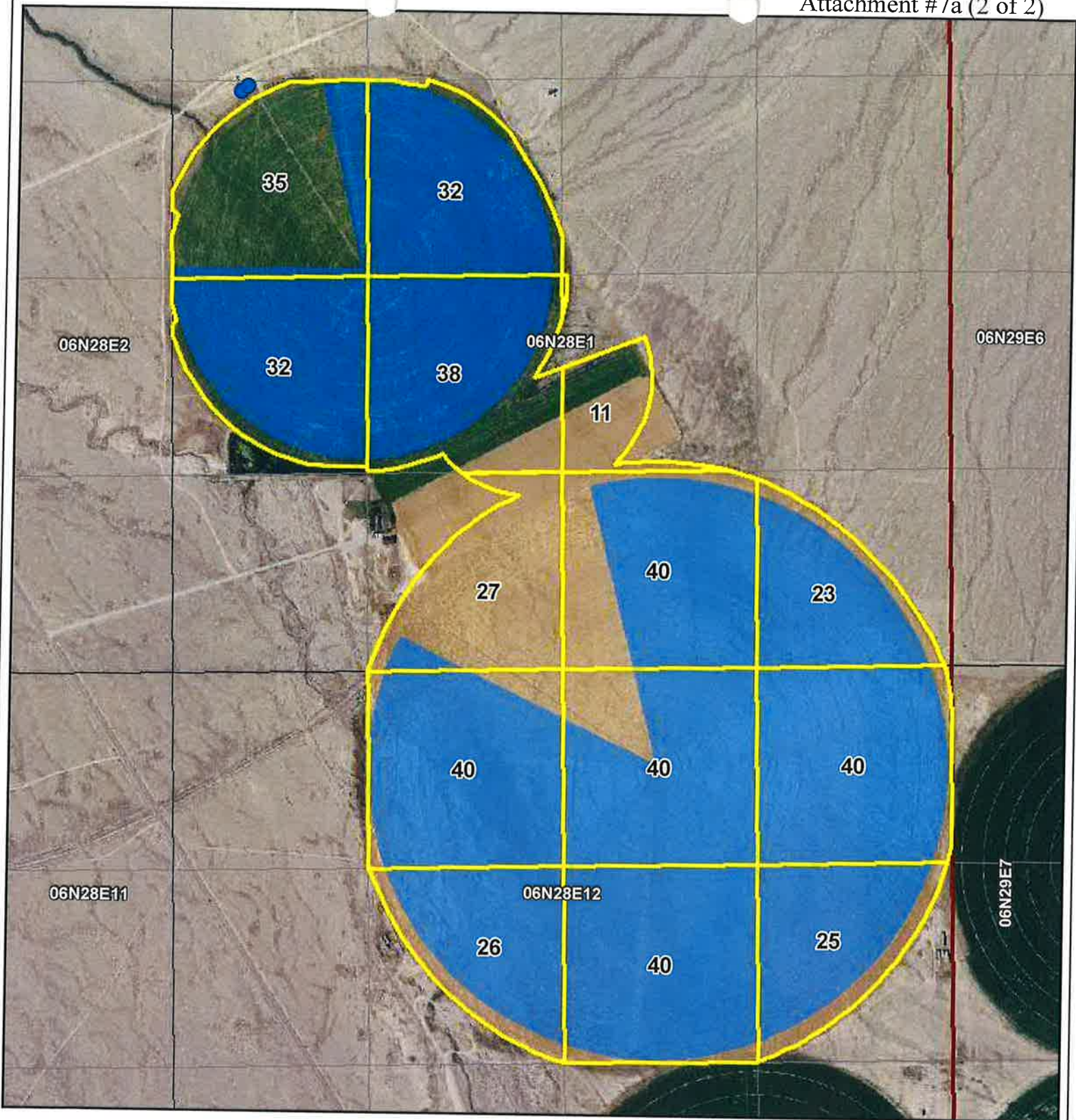
1/15/2019

Water Right Report

Part 2A

Cary Act Number:

Mitigation Plan: False



0 550 1,100 2,200 Feet

2017 Aerial Photography

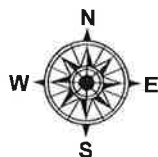
● WR POD 22-2138 et al □ QQ

□ Proposed PPU

■ GW Only

■ Twp & Rng

□ Section



Proposed Water Rights

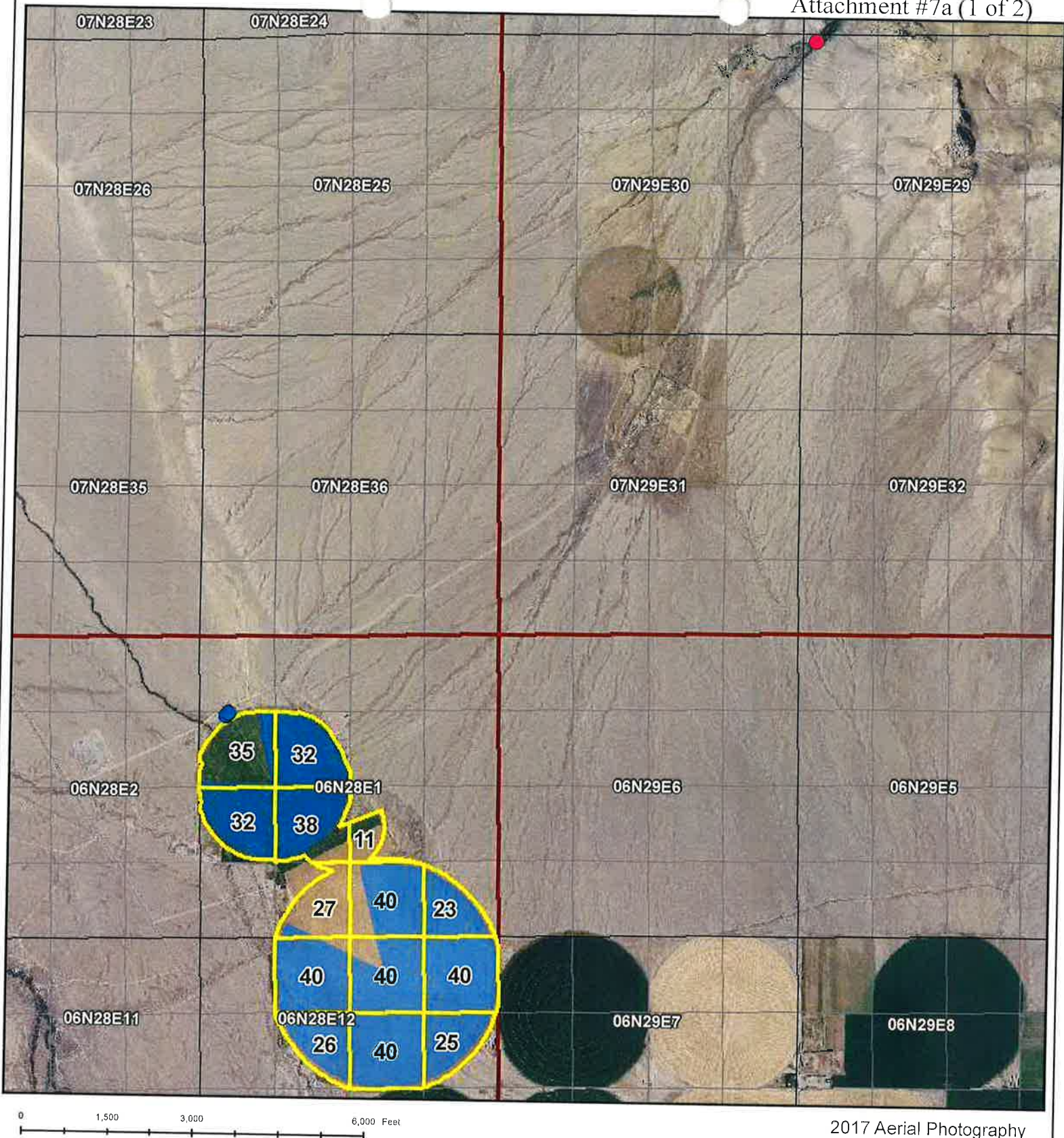
Pancheri Bros. LLC

RMEA #13-0020

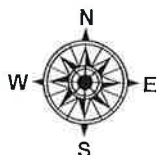
by: KM

Date: 1/15/2019





- WR POD 33-101A
- WR POD 22-2138 et al
- Proposed PPU
- GW Only
- Twp & Rng
- Section
- QQ



Proposed Water Rights

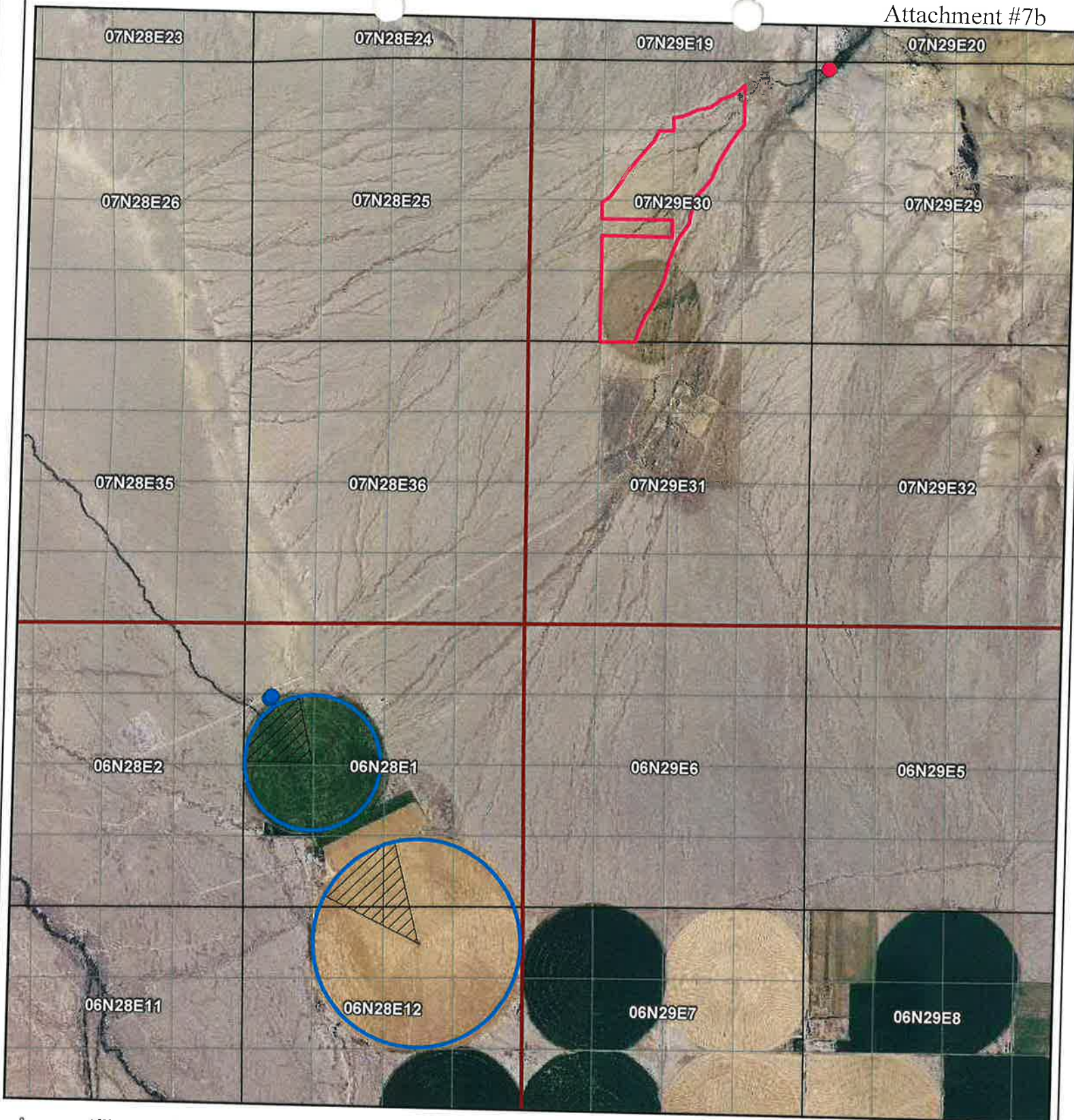
Pancheri Bros. LLC

RMEA #13-0020

by: KM

Date: 1/15/2019



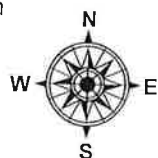


0 1,500 3,000 6,000 Feet

2017 Aerial Photography

- WR POD 33-101A
- WR POU 33-101A
- WR POD 22-2138 et al
- WR POU 22-2138 et al
- Retire - Knollin Ranch Trans.

- Twp & Rng
- Section
- QQ



Existing Water Right

Pancheri Bros. LLC

RMEA #13-0020

by: KM

Date: 1/15/2019

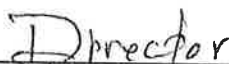
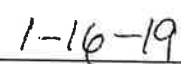


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ASSOCIATES, INC.

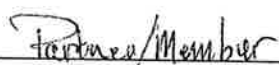
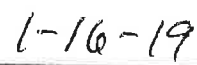
Authorization Letter

Pancheri Inc and Pancheri Brothers LLC both agree to allow water right 33-101A to be transferred to property owned by Pancheri Brothers LLC in T6N R28E Section 1 and 12, as proposed in the proposed transfer application. Right 33-101A will be combined in the same irrigation system as ground water rights 33-2138, 33-7040, and 33-7172.

PANCHERI INC

		
Name	Title	Date

PANCHERI BROTHERS LLC

		
Name	Title	Date