

T5797 PANCHERI

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5797
WATER RIGHT NO. 33-10997

RECEIVED

OCT 26 2000

Department of Water Resources
Eastern District Office

This is to certify that: **PANCHERI INC**
C/O HOLDEN KIDWELL HAHN CRAWFORD
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	* 0.17 CFS	31.5 AF *

SOURCE

GROUNDWATER

Priority: 04/15/1953

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SENEW), Sec. 3, Township 08N, Range 27E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	27E	3	SENW	9		9
Total number of acres irrigated:						9 *

CONDITIONS OF APPROVAL AND REMARKS

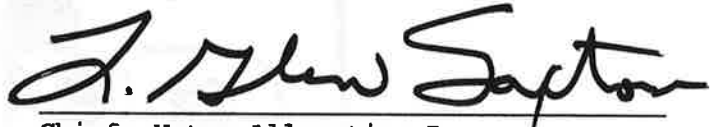
1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. 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. 5797
WATER RIGHT NO. 33-10997

CONDITIONS OF APPROVAL AND REMARKS

5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right 33-10997 is an enlargement of Right 33-02068A.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
- * 8. Rights 33-00035A, 33-02068A and 33-10997 when combined shall not exceed a total diversion rate of 2.28 cfs, a total annual maximum diversion volume of 430.5 af at the field headgate, and the irrigation of 123.0 acres.
9. Rights 33-02068A and 33-02068B are also diverted through the point of diversion described above.

Dated this 23 day of October, 2000.


Chief, Water Allocation Bureau

SO 9/15/06 \$100 Fee

Badger Co

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5797

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant PANCHER, INC. Phone (208) 523-0620
Post Office address % HOLDEN, KIDWELL, HANN & CRAPO PO Box 50150 IDAHO FALLS, ID 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes TO CEASE IRRIGATION OF 9 ACRES OF BLM LAND AND CHANGE TO 9 ACRES OF APPLICANT'S PRIVATE LAND

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>33-10997</u>	<u>4/15/1953</u>	<u>0.17 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/31</u>
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.17 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>03</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>3</u>	<u>8N</u>	<u>27E</u>	<u>BUTTE</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>8N</u>	<u>27E</u>	<u>3</u>								<u>9</u>									<u>9</u>

Total Acres 9

6. General Information:

- a. Description of diversion system WELL AND PUMP

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes NO No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
BLM GROUND WILL NO LONGER BE IRRIGATED

- d. Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 1994.

PART 2

TRANS NO. 5797

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 33-10997

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/15 to 10/31	0.17 CFS

SOURCE

GROUNDWATER

Priority: 04/15/1953

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SENEENW), Sec. 3, Township 08N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

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

BLM LAND

CONDITIONS/REMARKS:

- THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR 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.
- USE OF THIS RIGHT WITH RIGHT NO. 33-02068A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 430.5 AF.

Claim No. 33-10997

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02068A AND 33-00035A.
4. RIGHT NOS. 33-02068A AND 33-02068B ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

Describe any other water rights used for the same purpose as described above:

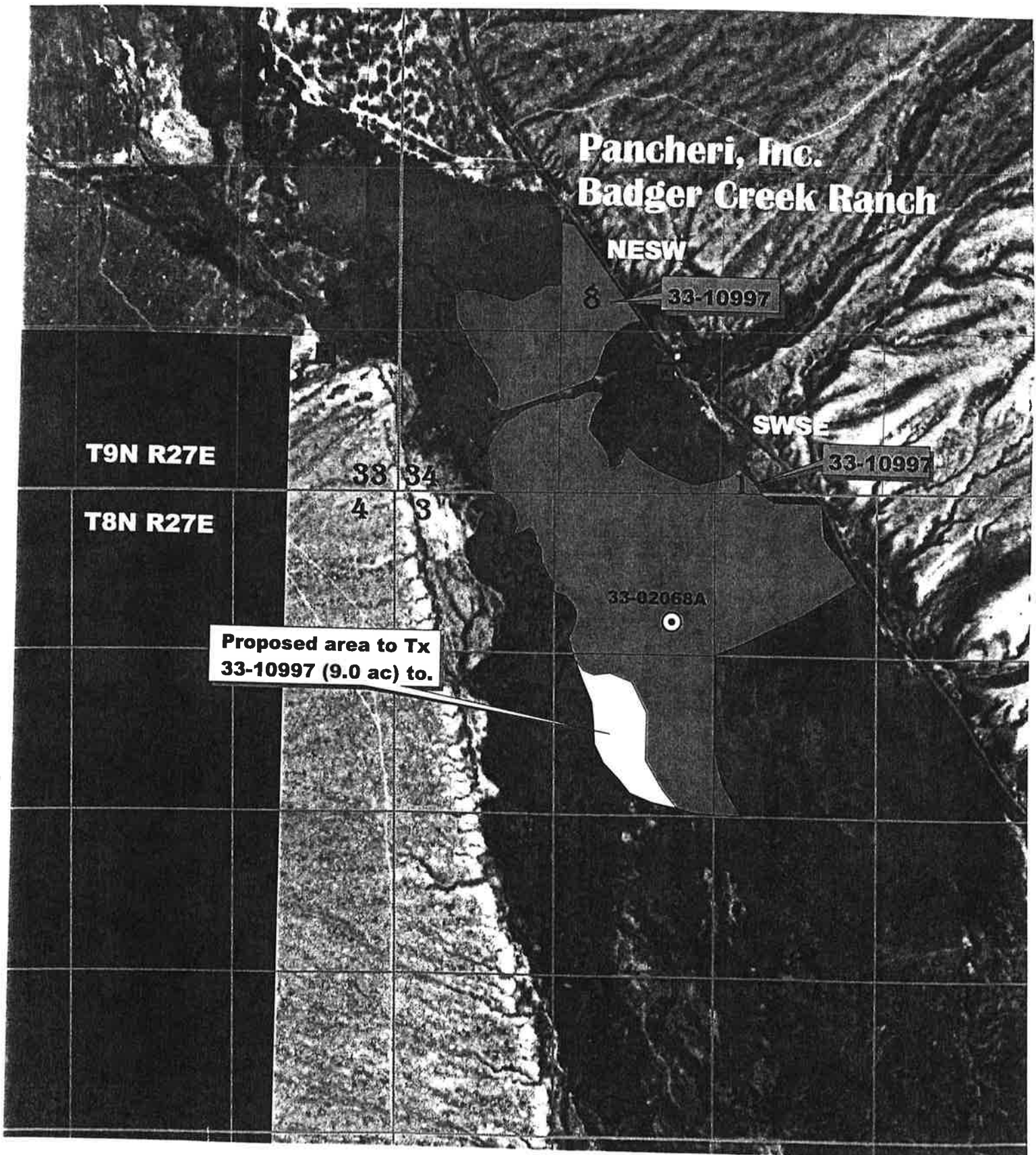
To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)

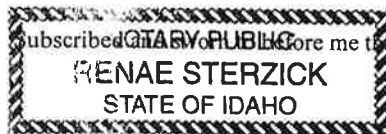
_____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Residing at Idaho Falls, Idaho
 My Commission Expires 1-14-2004

Reel Panel
 (Signature of Applicant)

27 day of June, 2000
Renae Sterzick
 Notary Public

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by Huf 7-14-00 Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00

Received by Huf # E025992 Date 7-14-00

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. dates Aug 3 and 10, 2000 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____



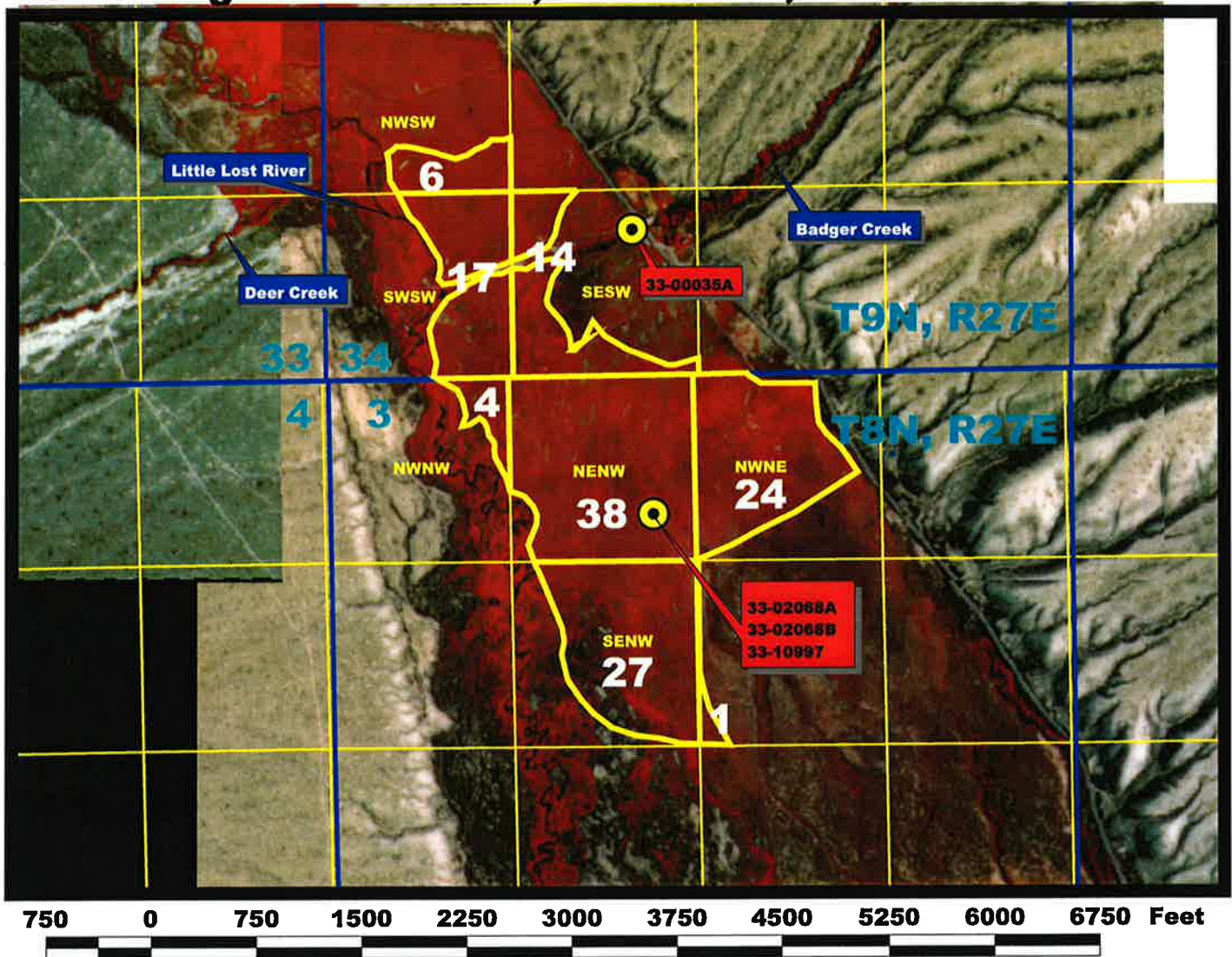
STATE OF IDAHO

Department of Water Resources

Eastern Region

Pancheri, Inc.

Water Right: 33-00035A, 33-02068A, 33-10997



- Inters2.shp
- Inters4.shp
- Sections
- 7n29e.shp
- QQ
- P7n29e.shp

131 irrigated acres

POU per Transfer #5797

Permissible POU all Rts.



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2001