

T5780 PANCHERI

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5780
WATER RIGHT NO. 33-10998

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</u>	<u>RGE</u>	<u>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 RESOURCESTransfer No. 5780APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Pancheri Inc Phone 208-523-0620
 Post Office address c/o Holden, Kidwell, Hahn + Grapo P.O. Box 50130 ID 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 36 acres of BLM
land + change to 36 acres of applicants private land.

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

1. Right Number 33-10998 Priority 4-15-1927 Amount (cfs/ac-ft) 0.71 cfs Nature of Use Irrigation Period of Use 4/15 to 10/31
 _____ to _____
 _____ to _____
 _____ to _____

2. Total amount of water being transferred 0.71 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Wet Creek tributary to Little Lost River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	NW	NE	5	9N	27E	Butte	

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	
9N	27E	9							34.2	1.3		0.5							36

Total Acres 36

PART 1

6. General Information:

- a. Description of diversion system Headgate + ditch from wet Creek
- 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. 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 affect 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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

PART 2

TRANS NO. 5780

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 33-10998

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/15 to 10/31	0.71 CFS

<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

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE	: NENW				NWNW	SWNW	SENW	: NESW				NWSW	SWSW	SESW	: NESE				NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09N	27E	8	:									:									:									:	
09N	27E	17	:	10								:									:									:	10.0
																												TOTAL ACRES	36.0		

CONDITIONS/REMARKS:

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

Claim No. 33-10998

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? _____ 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.

rights



Sc

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ 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 assert 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.

Subscribed and sworn to before me this

20

day of

June

, 20 00



(Signature of Applicant)

(Notary Public)

My commission expires

9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 0 attachments

Received by CU Date 6-20-00

Protest filed by _____

Prelim. Check by KW

Fee \$100.00

Received by CV #E025917 Date 6-20-00

Published in Arco Advertiser

Copies of protest forwarded by _____

Pub. Dates 7/6 & 7/13/2000

Hearing held by _____ Date _____

Watermaster recommendations requested on _____

Recommended for ☐ approval ☐ denial

received

by

Copy of transfer sent to lien holder _____