

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82896**

This is to certify that: **PANCHERI BROTHERS LLC**
1494 HWY 33
HOWE, ID 83244

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. A summary of the changes is also listed below. 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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
33-14904	WR/DECREED	4/11/1973	0.850 cfs	N/A	N/A	131.5	GROUND WATER
33-14929	WR/DECREED	5/25/1972	0.560 cfs	N/A	N/A	70.3	GROUND WATER
33-14931	WR/DECREED	4/11/1973	0.460 cfs	N/A	N/A	70.3	GROUND WATER
33-14949	WR/DECREED	5/25/1972	0.160 cfs	N/A	N/A	20.0	GROUND WATER
33-14950	WR/DECREED	4/11/1973	0.130 cfs	N/A	N/A	20.0	GROUND WATER
33-2040	WR/DECREED	3/24/1948	1.690 cfs	N/A	N/A	101.2	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>
33-14904	NO	YES	YES	YES	NO	NO
33-14929	NO	YES	YES	YES	NO	NO
33-14931	NO	YES	YES	YES	NO	NO
33-14949	NO	YES	YES	YES	NO	NO
33-14950	NO	YES	YES	YES	NO	NO
33-2040	NO	YES	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
33-14904	33-14904	0.850 cfs	N/A	131.5	221.8	N/A	N/A	N/A	N/A	N/A
33-14929	33-14929	0.560 cfs	N/A	70.3	221.8	N/A	N/A	N/A	N/A	N/A
33-14931	33-14931	0.460 cfs	N/A	70.3	221.8	N/A	N/A	N/A	N/A	N/A
33-14949	33-14949	0.160 cfs	N/A	20.0	221.8	N/A	N/A	N/A	N/A	N/A
33-14950	33-14950	0.130 cfs	N/A	20.0	221.8	N/A	N/A	N/A	N/A	N/A
33-2040	33-2040	1.690 cfs	N/A	101.2	221.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.850 cfs	N/A	221.8	221.8		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # **33-2040**

Transfer No. 82896

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82896

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 5th day of February, 2019.


Water Resources Program Manager



WATER RIGHT NO. 33-2040**As Modified by Transfer No. 82896**

In accordance with the approval of Transfer No. 82896, Water Right No. 33-2040 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1494 HWY 33
HOWE, ID 83244

Priority Date: 3/24/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

1.690 cfs

1.690 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 101.2

POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 101.2 acres within the authorized place of use in a single irrigation season.
2. Rights 33-2040 and 33-14904 when combined shall not exceed a total annual maximum diversion volume of 460 af and the irrigation of 131.5 acres.
3. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 af and the irrigation of 221.8 acres.
4. 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 place of use.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

Transfer No. 82896

WATER RIGHT NO. 33-2040

As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

6. 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.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

WATER RIGHT NO. 33-14904**As Modified by Transfer No. 82896**

In accordance with the approval of Transfer No. 82896, Water Right No. 33-14904 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1494 HWY 33
HOWE, ID 83244

Priority Date: 4/11/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/15

Diversion Rate
0.850 cfs
0.850 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 131.5

POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. Rights 33-2040 and 33-14904 when combined shall not exceed a total annual maximum diversion volume of 460 af and the irrigation of 131.5 acres.
2. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 af and the irrigation of 221.8 acres.
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 place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 08/11/2000.

WATER RIGHT NO. 33-14904

As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 33-14929

As Modified by Transfer No. 82896

In accordance with the approval of Transfer No. 82896, Water Right No. 33-14929 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1494 HWY 33
HOWE, ID 83244

Priority Date: 5/25/1972

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
0.560 cfs
0.560 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 70.3
POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. Rights 33-14929 and 33-14931 when combined shall not exceed a total annual maximum diversion volume of 246 af and the irrigation of 70.3 acres.
2. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 af and the irrigation of 221.8 acres.
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 place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

WATER RIGHT NO. 33-14929
As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

5. 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.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 33-14931**As Modified by Transfer No. 82896**

In accordance with the approval of Transfer No. 82896, Water Right No. 33-14931 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1494 HWY 33
HOWE, ID 83244

Priority Date: 4/11/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/15

Diversion Rate

0.460 cfs

0.460 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 70.3
POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. Rights 33-14929 and 33-14931 when combined shall not exceed a total annual maximum diversion volume of 246 af and the irrigation of 70.3 acres.
2. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 and the irrigation of 221.8 acres.
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 place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 08/11/2000.

WATER RIGHT NO. 33-14931
As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 33-14949**As Modified by Transfer No. 82896**

In accordance with the approval of Transfer No. 82896, Water Right No. 33-14949 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1460 HWY 33
HOWE, ID 83244

Priority Date: 5/25/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.160 cfs

0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 20.0

POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. Rights 33-14949 and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.
2. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 af and the irrigation of 221.8 acres.
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 place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

WATER RIGHT NO. 33-14949
As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

5. 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.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

WATER RIGHT NO. 33-14950
As Modified by Transfer No. 82896

CONDITIONS OF APPROVAL

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

WATER RIGHT NO. 33-14950**As Modified by Transfer No. 82896**

In accordance with the approval of Transfer No. 82896, Water Right No. 33-14950 is now described as follows:

Right Holder: PANCHERI BROTHERS LLC
1460 HWY 33
HOWE, ID 83244

Priority Date: 4/11/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/15

Diversion Rate
0.130 cfs
0.130 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 26 Twp 06N Rge 29E	BUTTE County
GROUND WATER	SESW	Sec 26 Twp 06N Rge 29E	BUTTE County
GROUND WATER	NWSE	Sec 27 Twp 06N Rge 29E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	26									31.0	9.0	29.0	31.0					100.0
06N	29E	27													32.0	30.6	29.0	30.2	121.8

Right Acre Limit: 20.0

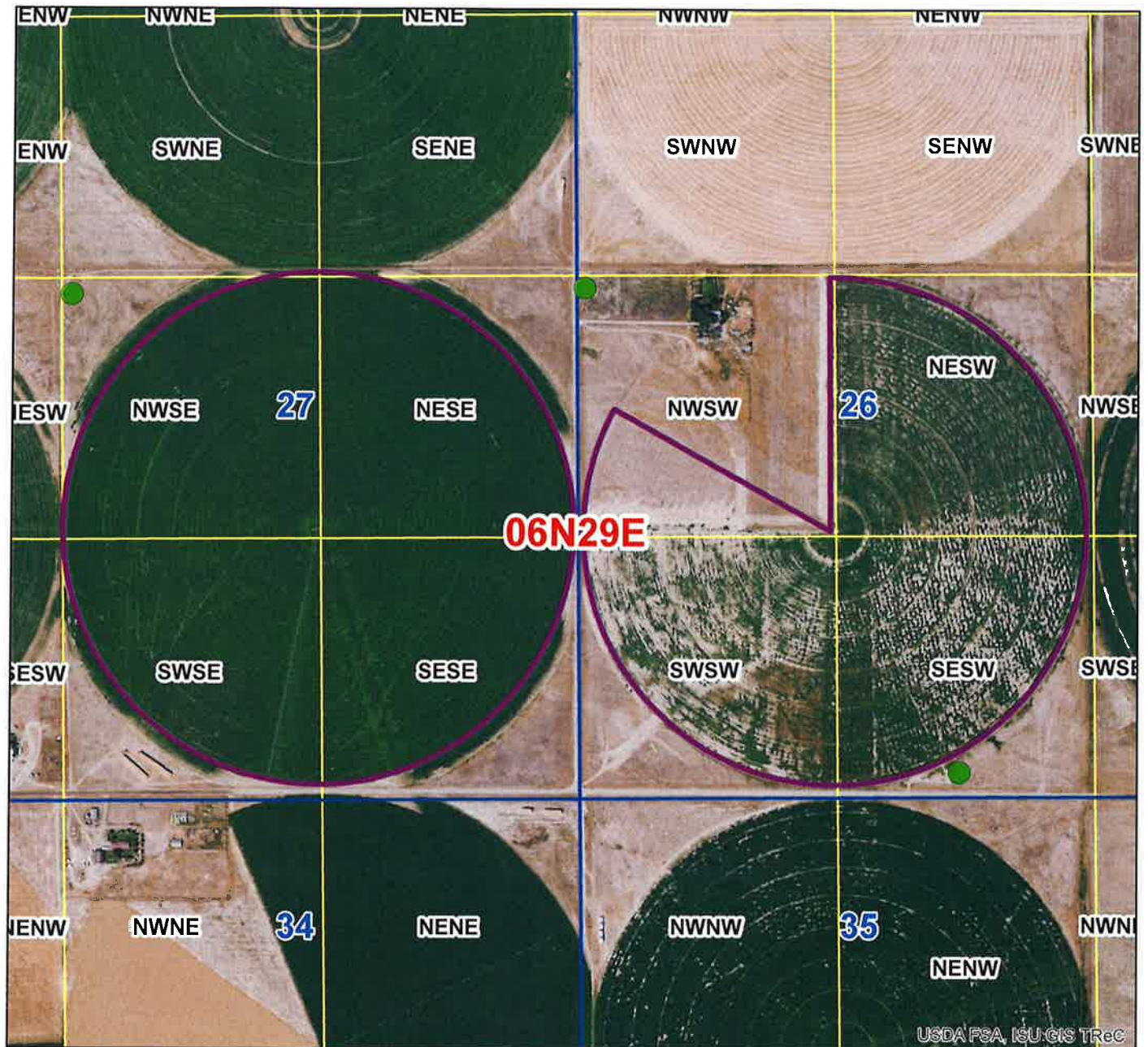
POU Total Acres: 221.8

CONDITIONS OF APPROVAL

1. Rights 33-14950 and 33-14949 when combined shall not exceed a total annual maximum diversion volume of 70 af at the field headgate and the irrigation of 20 acres.
2. Rights 33-2040, 33-14904, 33-14929, 33-14931, 33-14949, and 33-14950 when combined shall not exceed a total annual maximum diversion volume of 776 af and the irrigation of 221.8 acres.
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 place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 08/11/2000.

Attachment to Transfer Approval 82896

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.

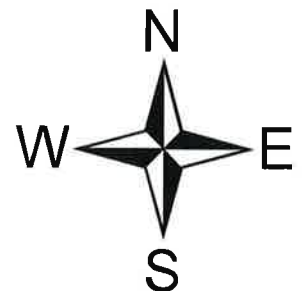


Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 487.5 975 1,950 Feet

1 inch = 793 feet



Date: 2/5/2019