

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82744**

This is to certify that: **PANCHERI BROTHERS LLC**
1460 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>
33-2138	WR/DECREED	3/3/1959	3.120 cfs	546.0 af	156.0	459.0	GROUND WATER
33-7040	WR/DECREED	10/16/1975	5.260 cfs	920.5 af	263.0	459.0	GROUND WATER
33-7172	WR/DECREED	4/2/1985	0.800 cfs	140.0 af	40.0	459.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

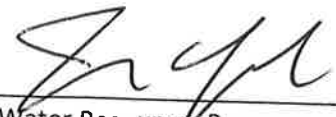
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-2138	YES	YES	YES	YES	NO	NO
33-7040	YES	YES	YES	YES	NO	NO
33-7172	YES	YES	YES	YES	NO	NO

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>
33-2138	33-15070	0.490 cfs	85.8 af	24.5	72.2	33-2138	2.630 cfs	460.0 af	131.5	386.8
33-7040	33-15068	0.830 cfs	145.0 af	41.4	72.2	33-7040	4.430 cfs	776.0 af	221.6	386.8
33-7172	33-15069	0.130 cfs	22.1 af	6.3	72.2	33-7172	0.670 cfs	118.0 af	33.7	386.8
COMBINED TOTALS		1.370 cfs	252.9 af	72.2	72.2		N/A	N/A	N/A	N/A

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 11th day of January, 2019.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 82744

IN FILE # 33-2138

WATER RIGHT NO. 33-7040**As Modified by Transfer No. 82744**

In accordance with the approval of Transfer No. 82744, Water Right No. 33-7040 is now described as follows:

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

Priority Date: 10/16/1975

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

4.430 cfs

4.430 cfs

Diversion Volume

776.0 af

776.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NWSWNW
NWSWNW

Sec 1 Twp 06N Rge 28E BUTTE County
Sec 1 Twp 06N Rge 28E 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	28E	1							31.2	29.3	26.8	28.0		20.5			36.6	19.4	191.8
06N	28E	12	37.7	40.0	37.9	20.3	38.2			20.9									195.0

Right Acre Limit: 221.6

POU Total Acres: 386.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 221.6 acres within the authorized place of use in a single irrigation season.
2. Rights 33-2138 and 33-7040 when combined shall not exceed a total diversion rate of 6.66 cfs.
3. 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82744

WATER RIGHT NO. 33-7040
As Modified by Transfer No. 82744

CONDITIONS OF APPROVAL

6. 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. 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. 33-15068**As Modified by Transfer No. 82744**

In accordance with the approval of Transfer No. 82744, Water Right No. 33-15068 is now described as follows:

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

Priority Date: 10/16/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION**From**
04/01**To**
to 11/01**Diversion Rate**
0.830 cfs
0.830 cfs**Diversion Volume**
145.0 af
145.0 af**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	NWNENE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	SWNWSE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	L4 (SWSW)	Sec 19 Twp 06N Rge 30E	BUTTE County
GROUND WATER	NENW	Sec 30 Twp 06N Rge 30E	BUTTE County
GROUND WATER	L1 (NWNW)	Sec 30 Twp 06N Rge 30E	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	30E	19					30.2	16.1		25.9									72.2
								L 1											

Right Acre Limit: 41.4

POU Total Acres: 72.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 41.4 acres within the authorized place of use in a single irrigation season.
2. Rights 33-15068 and 33-15070 when combined shall not exceed a total diversion rate of 1.24 cfs.
3. Rights 33-15068, 33-15069, and 33-15070 when combined shall not exceed a total diversion rate of 1.37 cfs and the irrigation of 72.2 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.

Transfer No. 82744

WATER RIGHT NO. 33-15068

As Modified by Transfer No. 82744

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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 33-7172**As Modified by Transfer No. 82744**

In accordance with the approval of Transfer No. 82744, Water Right No. 33-7172 is now described as follows:

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

Priority Date: 4/2/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.670 cfs

0.670 cfs

Diversion Volume

118.0 af

118.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 1 Twp 06N Rge 28E BUTTE County
GROUND WATER NWSWNW Sec 1 Twp 06N Rge 28E 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	28E	1							31.2	29.3	26.8	28.0		20.5			36.6	19.4	191.8
06N	28E	12	37.7	40.0	37.9	20.3	36.2			20.9									195.0

Right Acre Limit: 33.7

POU Total Acres: 386.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33.7 acres within the authorized place of use in a single irrigation season.
2. 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. 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82744

WATER RIGHT NO. 33-7172
As Modified by Transfer No. 82744

CONDITIONS OF APPROVAL

6. 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. 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. 33-15069
As Modified by Transfer No. 82744

In accordance with the approval of Transfer No. 82744, Water Right No. 33-15069 is now described as follows:

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

Priority Date: 4/2/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.130 cfs

0.130 cfs

Diversion Volume

22.1 af

22.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	SWNWSE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	L4 (SWSW)	Sec 19 Twp 06N Rge 30E	BUTTE County
GROUND WATER	NENW	Sec 30 Twp 06N Rge 30E	BUTTE County
GROUND WATER	L1 (NWNW)	Sec 30 Twp 06N Rge 30E	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	30E	19					30.2	16.1		25.9									72.2
								L 1											

Right Acre Limit: 6.3

POU Total Acres: 72.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.3 acres within the authorized place of use in a single irrigation season.
2. Rights 33-15068, 33-15069, and 33-15070 when combined shall not exceed a total diversion rate of 1.37 cfs and the irrigation of 72.2 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. 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.

Transfer No. 82744

WATER RIGHT NO. 33-15069

As Modified by Transfer No. 82744

CONDITIONS OF APPROVAL

5. 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.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 33-2138**As Modified by Transfer No. 82744**

In accordance with the approval of Transfer No. 82744, Water Right No. 33-2138 is now described as follows:

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

Priority Date: 3/3/1959

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
2.630 cfs
2.630 cfs

Diversion Volume
460.0 af
460.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 1 Twp 06N Rge 28E BUTTE County
GROUND WATER NWSWNW Sec 1 Twp 06N Rge 28E 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	28E	1							31.2	29.3	26.8	28.0		20.5			36.6	19.4	191.8
06N	28E	12	37.7	40.0	37.9	20.3	38.2			20.9									195.0

Right Acre Limit: 131.5

POU Total Acres: 386.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 131.5 acres within the authorized place of use in a single irrigation season.
2. Rights 33-2138 and 33-7040 when combined shall not exceed a total diversion rate of 6.66 cfs.
3. 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82744

WATER RIGHT NO. 33-2138
As Modified by Transfer No. 82744

CONDITIONS OF APPROVAL

6. 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. 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. 33-15070**As Modified by Transfer No. 82744**

In accordance with the approval of Transfer No. 82744, Water Right No. 33-15070 is now described as follows:

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

Priority Date: 3/3/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.490 cfs

0.490 cfs

Diversion Volume

85.8 af

85.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	SNNWSE	Sec 24 Twp 06N Rge 29E	BUTTE County
GROUND WATER	L4 (SWSW)	Sec 19 Twp 06N Rge 30E	BUTTE County
GROUND WATER	NENW	Sec 30 Twp 06N Rge 30E	BUTTE County
GROUND WATER	L1 (NWNW)	Sec 30 Twp 06N Rge 30E	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	30E	19					30.2	16.1		25.9									72.2
							L 1												

Right Acre Limit: 24.5

POU Total Acres: 72.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 24.5 acres within the authorized place of use in a single irrigation season.
2. Rights 33-15068 and 33-15070 when combined shall not exceed a total diversion rate of 1.24 cfs.
3. Rights 33-15068, 33-15069, and 33-15070 when combined shall not exceed a total diversion rate of 1.37 cfs and the irrigation of 72.2 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.

Transfer No. 82744

WATER RIGHT NO. 33-15070

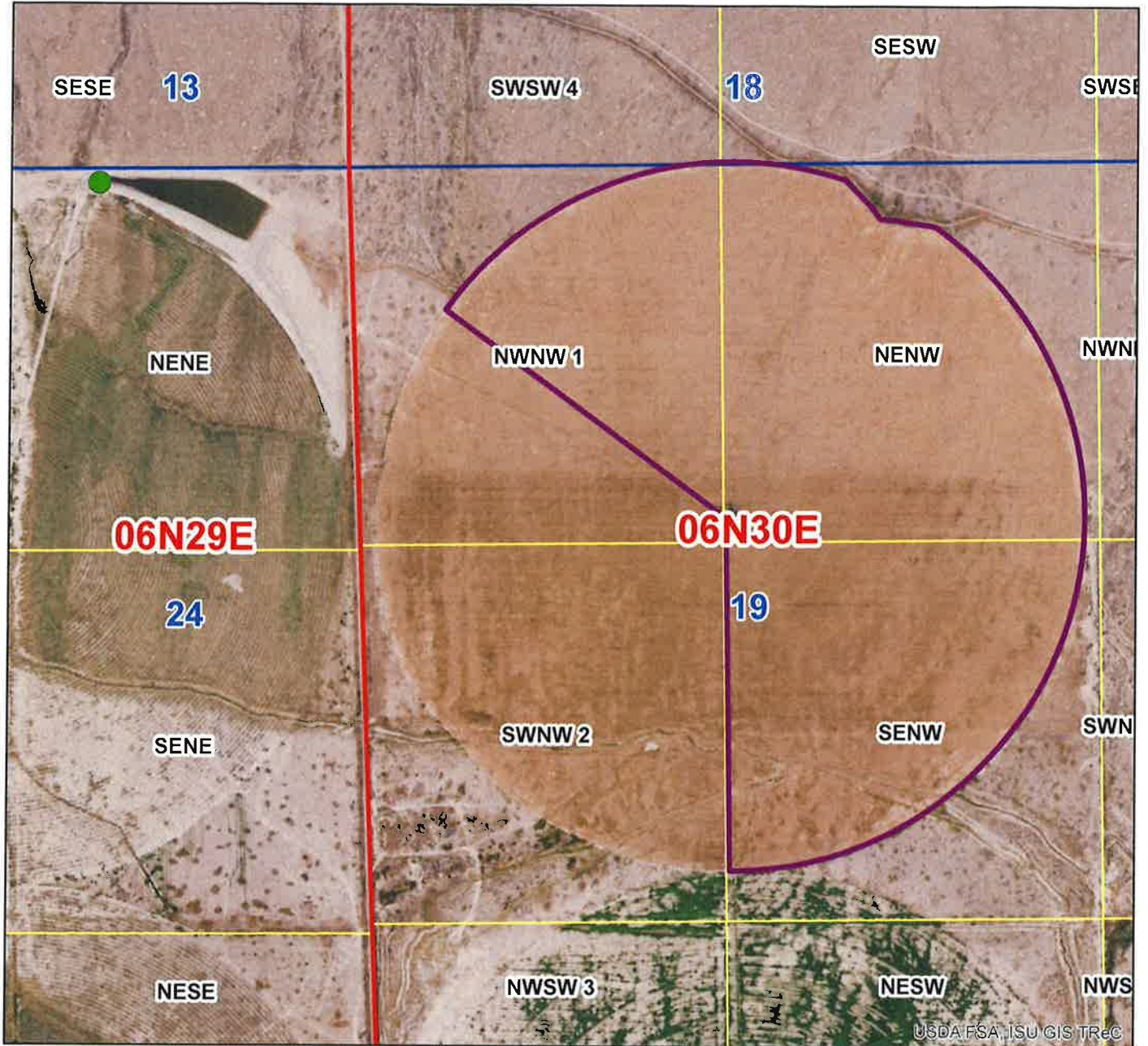
As Modified by Transfer No. 82744

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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

Attachment to Transfer Approval 82744

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.

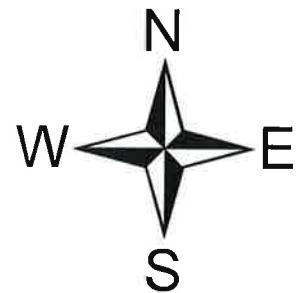


Legend

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

0 335 670 1,340 Feet

1 inch = 546 feet



Date: 1/11/2019