

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82104**

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>
33-14852	WR/DECREED	4/8/1948	0.880 cfs	250.6 af	N/A	71.6	GROUND WATER
33-2115	WR/DECREED	2/20/1963	2.200 cfs	752.5 af	N/A	215.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

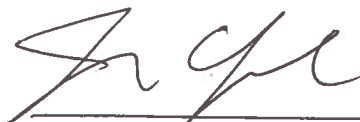
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-14852	NO	NO	YES	YES	NO	NO
33-2115	NO	NO	YES	YES	NO	NO

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>
33-14852	33-14852	0.880 cfs	250.6 af	71.6	728.0	N/A	N/A	N/A	N/A	N/A
33-2115	33-2115	2.200 cfs	752.5 af	215.0	728.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.080 cfs	1003.1 af	286.6	728.0		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 12th day of April, 2018.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 82104

IN FILE # 33-2115

WATER RIGHT NO. 33-14852
As Modified by Transfer No. 82104

In accordance with the approval of Transfer No. 82104, Water Right No. 33-14852 is now described as follows:

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

Priority Date: 4/8/1948

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
04/01	to 10/31	0.880 cfs	250.6 af
		0.880 cfs	250.6 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	29E	24	40.0	40.0	40.0	40.0	39.0								40.0	40.0	29.0	37.0	345.0
06N	30E	19					40	39	38	40	40	37	36	37					307
								L 1	L 2			L 3	L 4						
06N	30E	30					40	36											76
								L 1											

Right Acre Limit: 71.6
 POU Total Acres: 728.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71.6 acres within the authorized place of use in a single irrigation season.
2. Rights 33-2115 and 33-14852 when combined shall not exceed the irrigation of 286.6 acres.

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WATER RIGHT NO. 33-14852
As Modified by Transfer No. 82104

CONDITIONS OF APPROVAL

3. Rights 33-2115 and 33-14852 are limited to the irrigation of a specific 286.6 acres within the 728 acre place of use authorized by this right in a single irrigation season. The specific 286.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 286.6 acres to be irrigated within the 728 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
6. Use of water under this right is combined with water from Blaine County Canal Co.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 33-2115**As Modified by Transfer No. 82104**

In accordance with the approval of Transfer No. 82104, Water Right No. 33-2115 is now described as follows:

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

Priority Date: 2/20/1963

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
04/01

To
to 11/01

Diversion Rate

2.200 cfs
2.200 cfs

Diversion Volume

752.5 af
752.5 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	29E	24	40.0	40.0	40.0	40.0	39.0								40.0	40.0	29.0	37.0	345.0
06N	30E	19					40	39	38	40	40	37	36	37					307
								L 1	L 2			L 3	L 4						
06N	30E	30					40	36											76
								L 1											

Right Acre Limit: 215.0

POU Total Acres: 728.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 215 acres within the authorized place of use in a single irrigation season.
2. Rights 33-2115 and 33-14852 when combined shall not exceed the irrigation of 286.6 acres.

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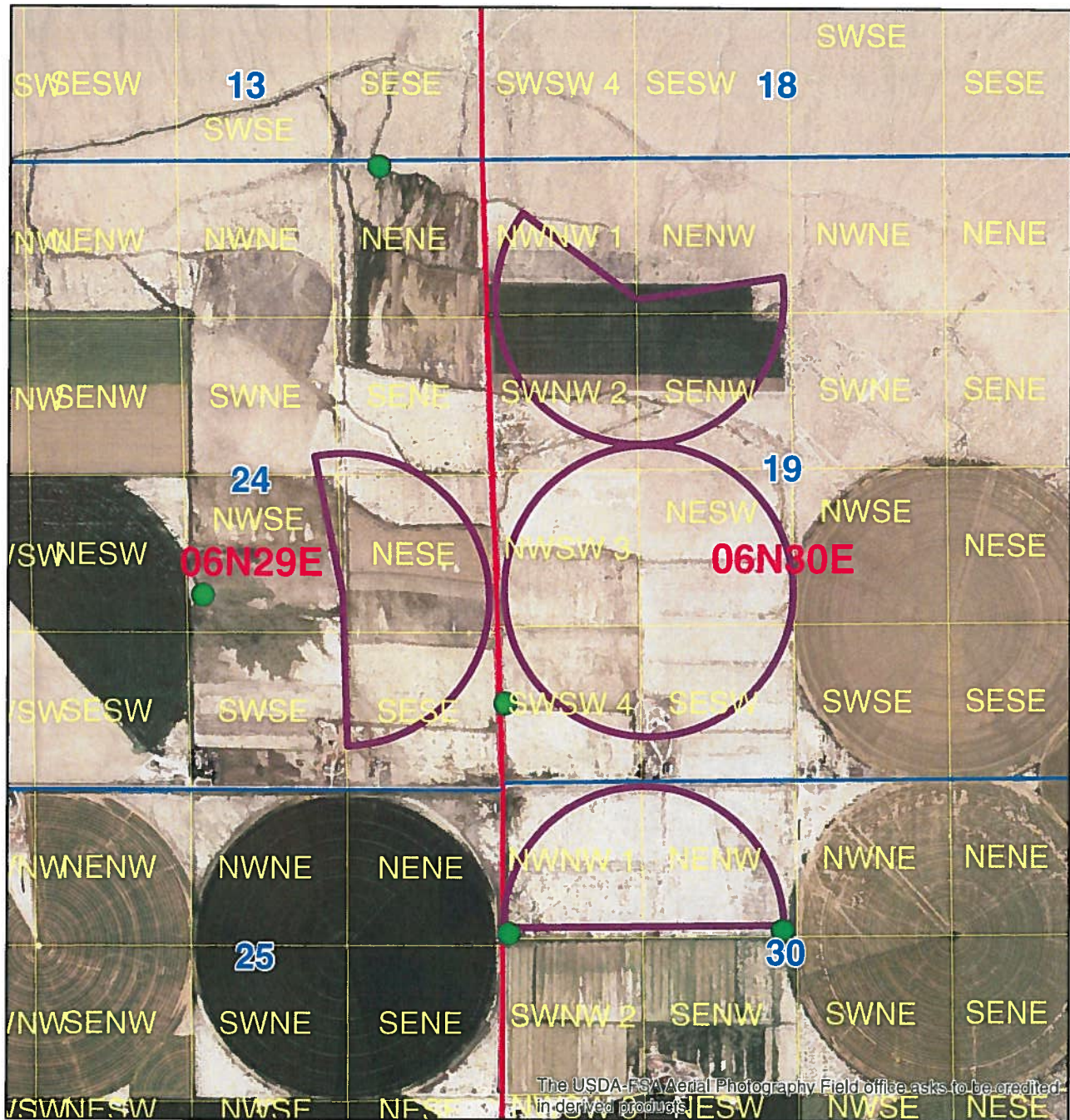
WATER RIGHT NO. 33-2115
As Modified by Transfer No. 82104

CONDITIONS OF APPROVAL

3. Rights 33-2115 and 33-14852 are limited to the irrigation of a specific 286.6 acres within the 728 acre place of use authorized by this right in a single irrigation season. The specific 286.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 286.6 acres to be irrigated within the 728 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
6. Use of water under this right is combined with water from Blaine County Canal Co.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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Attachment to Transfer Approval 82104

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.



The USDA-RS/Aerial Photography Field office asks to be credited in derived products

Legend

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

0 600 1,200 2,400 Feet

1 inch = 1,357 feet

