

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
JAN 31 2017

Department of Water Resources  
Eastern Region

## APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s)    ☒ Add diversion point(s)    ☐ Ownership change    ☐ Ownership split

1. **APPLICANT(S)** Pancheri Inc. Phone 208-767-3419  
2. **MAILING ADDRESS** 1494 Hwy 33 City Howe  
State Idaho Zip 83244 Email \_\_\_\_\_

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 33-2108B and 33-2117B

- ☒ Attach a copy of the water right(s) as recorded, available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 6.07 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☒ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Online Resources*.

| New? | Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Source       | Local name or tag # |
|------|-----|----|----|----|-----|-----|-----|--------|--------------|---------------------|
| N    | 4   | NW | NW | NW | 3   | 5N  | 29E | BUTTE  | GROUND WATER |                     |
| Y    |     | NE | NW | NE | 19  | 6N  | 29E | BUTTE  | GROUND WATER |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |

## 6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The proposed added well diverts into a pipeline that extends to the current irrigation system for the place of use.

There are already existing measuring devices and lockable controlling works.

- b. Who owns the property at the point(s) of diversion? Aaron W Romwell

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Historical arrangement: Pancheri's have used this well location for decades under other water rights.

- c. To your knowledge, has/s any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.  
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and  $\frac{1}{4}$   $\frac{1}{4}$  of section information. The Map Tool, available at [maps.idwr.idaho.gov/TransferApplicationLayouts/](http://maps.idwr.idaho.gov/TransferApplicationLayouts/) provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature] Rod Pancheri owner 1-17-17  
Signature of applicant or authorized agent Print name and title if applicable Date

\_\_\_\_\_  
Signature of applicant or authorized agent Print name and title if applicable Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

## FOR DEPARTMENT USE ONLY

Transfer includes \_\_\_\_\_ pages of attachments. Received by sc Date 1/31/17  
Fee paid 980 Date 1/31/17 Received by sc Receipt # E042724  
Preliminary review by \_\_\_\_\_ Date \_\_\_\_\_ Active in the Water Supply Bank? Yes ☐ No ☐  
W-9 received? Yes ☐ No ☐ Name on W-9 \_\_\_\_\_ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

**WATER RIGHT NO. 33-2108B**

| <u>Owner Type</u> | <u>Name and Address</u>                       |
|-------------------|-----------------------------------------------|
| Current Owner     | PANCHERI INC                                  |
|                   | 1494 HWY 33                                   |
|                   | HOWE, ID 83244                                |
|                   | (208)767-3419                                 |
| Attorney          | ROBERT L HARRIS                               |
|                   | HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 |
|                   | IDAHO FALLS, ID 83405-0130                    |
|                   | (208)523-0620                                 |

Priority Date: 10/25/1961

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01        | 11/01     | 3.09 CFS              |               |
| Total Diversion       |             |           | 3.09 CFS              |               |

Location of Point(s) of Diversion:

|              |             |         |              |           |              |
|--------------|-------------|---------|--------------|-----------|--------------|
| GROUND WATER | NWNWNW Lt 4 | Sec. 03 | Township 05N | Range 29E | BUTTE County |
|--------------|-------------|---------|--------------|-----------|--------------|

IRRIGATION Use:                      Acre Limit: 210

Place of Use Legal Description: IRRIGATION BUTTE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 05N             | 29E          | 3              |            | NWSW         | 39           |            | SWSW         | 26           |            |              |              |            |              |              |
|                 |              | 4              | 1          | NENE         | 44           | 2          | NWNE         | 44           |            | SWNE         | 32           |            | SENE         | 36           |
|                 |              |                |            | SENE         | 17           |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NESE         | 37           |            | NWSE         | 37           |            | SWSE         | 17           |            | SESE         | 30           |

Total Acres: 359

81436

Conditions of Approval:

|    |     |                                                                                                                                                                                                                                                                                                                 |
|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. |     | USE OF THIS RIGHT WITH RIGHT NO. 33-02117B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.07 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1256.5 AF.                                                                                                                                              |
| 2. |     | THIS RIGHT IS LIMITED TO THE IRRIGATION OF 210 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 33-02117B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 359 ACRES IN A SINGLE IRRIGATION SEASON.                                             |
| 3. | C18 | 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. |
| 4. | C05 | RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.                                                                                                                                                                                                                     |
| 5. | C03 | RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.                                                                                                                                                                                                               |
| 6. |     | RIGHT NO. 33-02117B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.                                                                                                                                                                                                                                |

Decreed Date: 09/29/2000

State or Federal: S

Owner Name Connector: OR

Combined Acres Limit: 359

Combined Volume Limit: 1256.5

Combined Rate Limit: 6.07

81436

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

**WATER RIGHT NO. 33-2117B**

| Owner Type    | Name and Address                              |
|---------------|-----------------------------------------------|
| Current Owner | PANCHERI INC                                  |
|               | 1494 HWY 33                                   |
|               | HOWE, ID 83244                                |
|               | (208)767-3419                                 |
| Attorney      | ROBERT L HARRIS                               |
|               | HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 |
|               | IDAHO FALLS, ID 83405-0130                    |
|               | (208)523-0620                                 |

Priority Date: 05/31/1963

Basis: Decreed

Status: Active

| Source       | Tributary |
|--------------|-----------|
| GROUND WATER |           |

| Beneficial Use  | From | To    | Diversion Rate | Volume |
|-----------------|------|-------|----------------|--------|
| IRRIGATION      | 4/01 | 11/01 | 2.98 CFS       |        |
| Total Diversion |      |       | 2.98 CFS       |        |

Location of Point(s) of Diversion:

|              |             |         |              |           |              |
|--------------|-------------|---------|--------------|-----------|--------------|
| GROUND WATER | NWNWNW Lt 4 | Sec. 03 | Township 05N | Range 29E | BUTTE County |
|--------------|-------------|---------|--------------|-----------|--------------|

IRRIGATION Use:                      Acre Limit: 149

Place of Use Legal Description: IRRIGATION BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 29E   | 3       |     | NWSW  | 39    |     | SWSW  | 26    |     |       |       |     |       |       |
|          |       | 4       | 1   | NENE  | 44    | 2   | NWNE  | 44    |     | SWNE  | 32    |     | SENE  | 36    |
|          |       |         |     | SENE  | 17    |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NESE  | 37    |     | NWSE  | 37    |     | SWSE  | 17    |     | SESE  | 30    |

Total Acres: 359

81436

Conditions of Approval:

|    |     |                                                                                                                                                                                                                                                                                                                 |
|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. |     | USE OF THIS RIGHT WITH RIGHT NO. 33-02108B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.07 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1256.5 AF.                                                                                                                                              |
| 2. |     | THIS RIGHT IS LIMITED TO THE IRRIGATION OF 149 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 33-02108B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 359 ACRES IN A SINGLE IRRIGATION SEASON.                                             |
| 3. | C18 | 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. |
| 4. |     | RIGHT NO. 33-02108B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.                                                                                                                                                                                                                                |
| 5. | C05 | RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.                                                                                                                                                                                                                     |

Decreed Date: 09/29/2000

State or Federal: S

Owner Name Connector: OR

Combined Acres Limit: 359

Combined Volume Limit: 1256.5

Combined Rate Limit: 6.07

81436

## Eastern Snake Plain Aquifer Analysis

The Applicant proposes to add a point of diversion to the existing irrigation system for Water Right Nos. 33-2108B and 33-2117B. The existing point of diversion for these water rights is located in Section 3, T5N R29E, (R30, C130), shown as the yellow point in Figure 1. The blue well located in Section 19, T6N R29E (R27, C129) is proposed to be included in this diversion system to add redundancy; this well already exists and is a point of diversion for other water rights owned by the applicant. To reflect the proposed changes, the ESPAM 2.1 was used to simulate depletions.

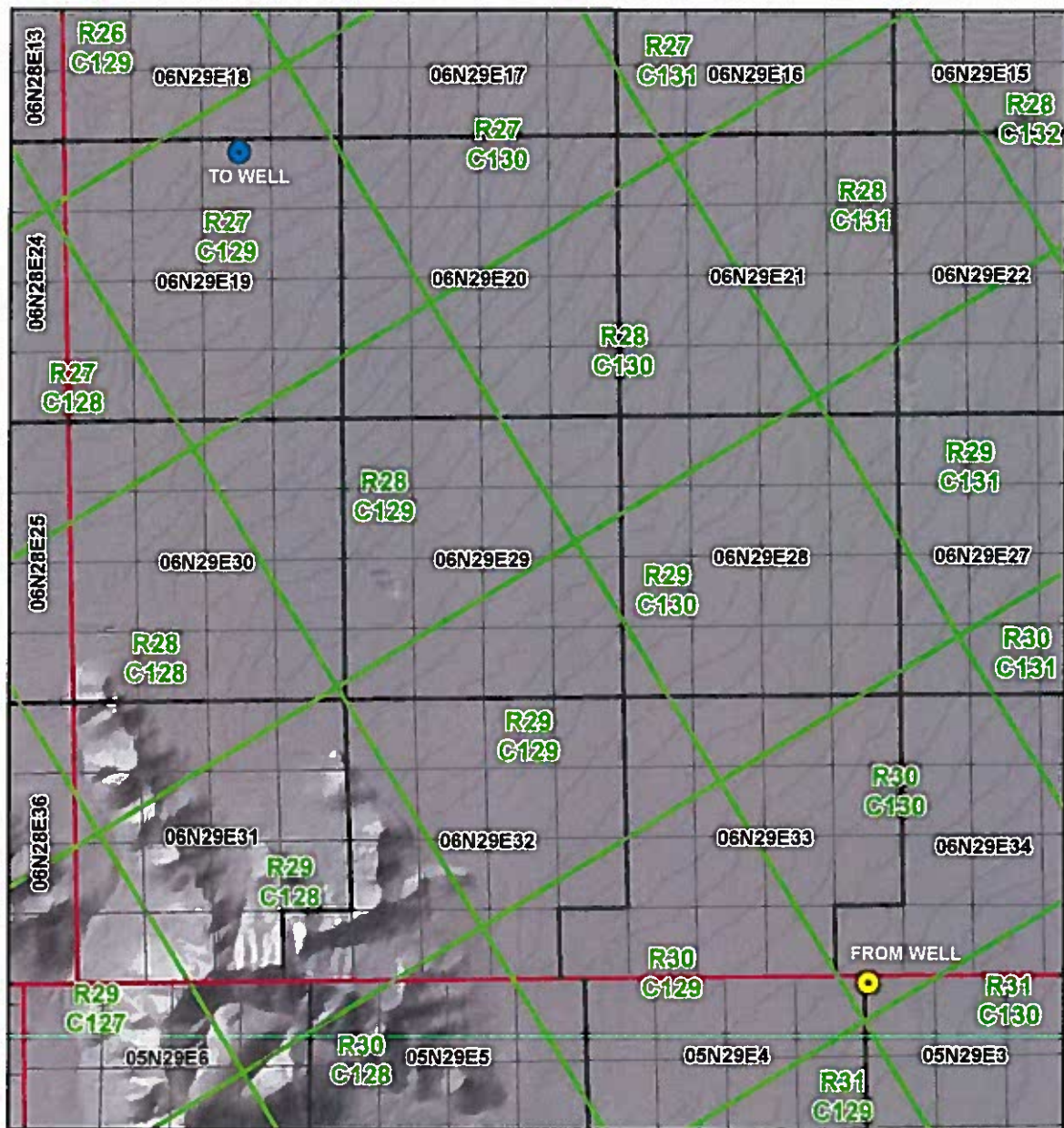


Figure 1 Well Locations

The existing well in R30 C130 is currently delivering all of the volume under the associated water rights. Upon approval of this transfer, the rights will likely be diverted from a combination of the two approved well locations. Therefore, the modeling below shows the entirety of the current water right capacities being transferred to the proposed well in R27, C129 as a worst case scenario.

Figures 2-4 include excerpts from the ESPAM 2.1 simulation. Results show that by transferring 1256.5 AFA (418.8 AF/trimester) to R27 C129, the effects of pumping at that diversion do not exceed 2.0 AF/trimester in any reach of the Snake River. No mitigation is required.

**ENHANCED GROUND-WATER RIGHTS TRANS**

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTO

TRANSFER NO: 123

YEAR: 1961

SEASON: SUMMER

TRANSFER NAME: Pancheri-Gp 3

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

|        | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|--------|-----------|--------------|--------------|--------------|
| ROW    | 27        | 30           | 75           | 45           |
| COLUMN | 129       | 130          | 105          | 30           |

| TRIMESTER OF ACTIVITY | TO WELL Projected Use AF/TRIMESTER | FROM1 WELL                 |                               | FROM2 WELL                 |                               | FROM3 WELL                 |                               |
|-----------------------|------------------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|
|                       |                                    | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER |
| SUM 1961              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 1961              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 1962              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 1962              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 1962              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 1963              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 1963              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 1963              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 2016              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 2016              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 2016              | 0                                  | 419                        | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 2017              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 2017              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 2017              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 2109              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 2109              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 2110              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| SUM 2110              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| WIN 2110              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |
| SPR 2111              | 419                                | 0                          | 419                           | 0                          | 0                             | 0                          | 0                             |

Figure 2 Data Entry Excerpt

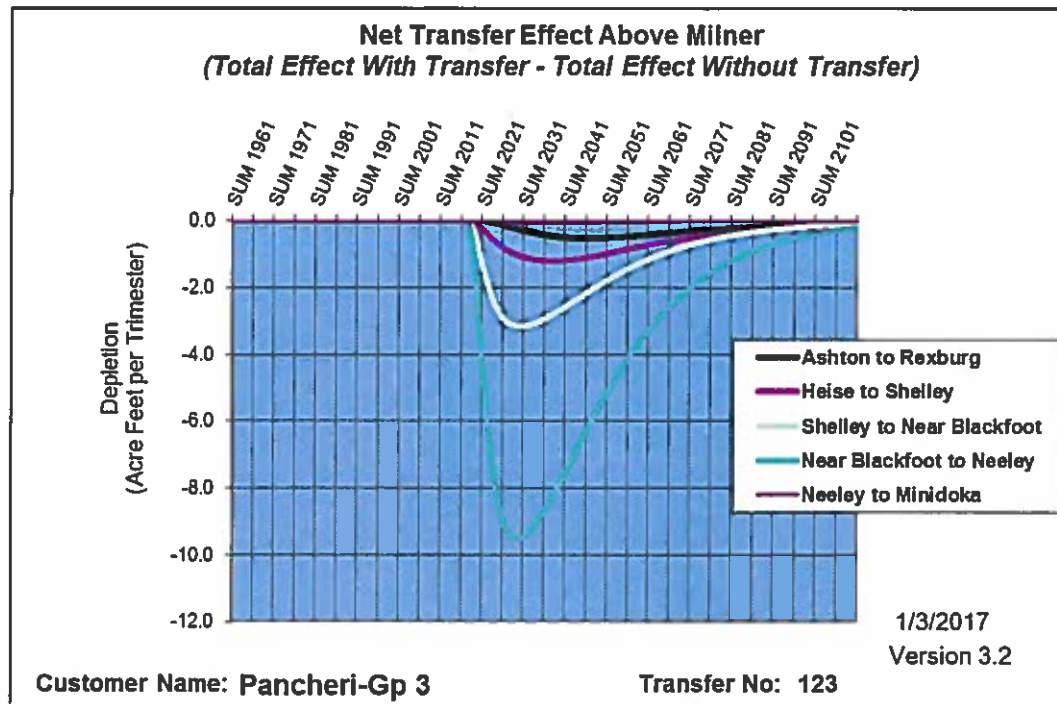
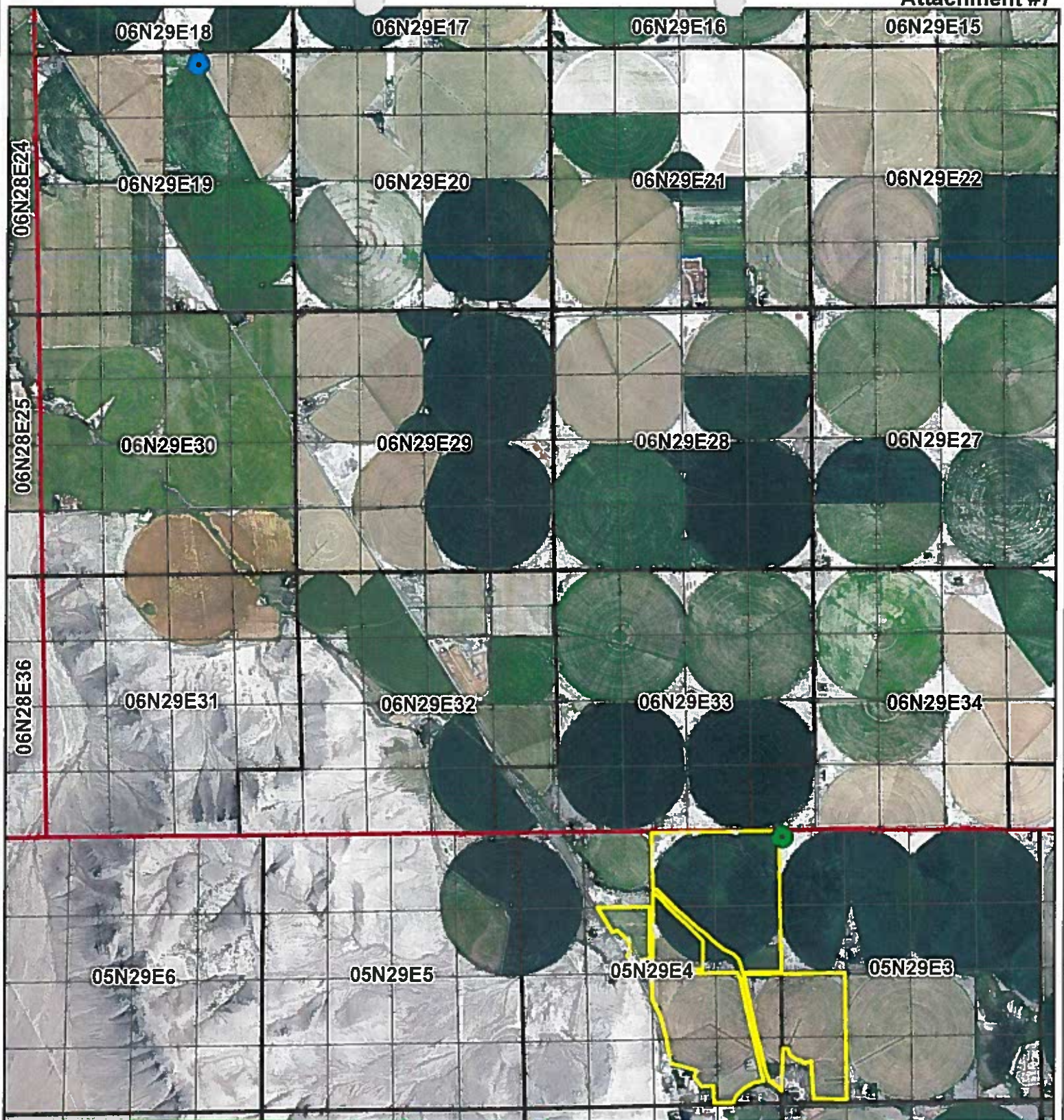


Figure 3 Net Effect Above Milner

|                                                       |         |       |       |        |      |        |       |      |      |      |      |        |                           |
|-------------------------------------------------------|---------|-------|-------|--------|------|--------|-------|------|------|------|------|--------|---------------------------|
| Enter First Time Step of Transfer:                    | SUM 196 |       |       |        |      |        |       |      |      |      |      |        |                           |
| Match:                                                | 1       |       |       |        |      | Match: | 456   |      |      |      |      |        |                           |
|                                                       | AIR     | HIS   | StNB  | NBN    | NIM  | DWIB   | BITS  | TS   | TSIM | M    | MIB  | Total  |                           |
| Preexisting Effects @ SS (Last Time Step):            | 17.06   | 37.60 | 84.57 | 251.85 | 2.00 | 7.17   | 8.15  | 3.62 | 2.28 | 2.09 | 0.13 | 416.51 | Total Effects without Tr  |
| Steady State - Value of Dep. @ Last Time Step:        | 16.97   | 37.47 | 84.49 | 251.64 | 2.00 | 7.16   | 8.14  | 3.62 | 2.28 | 2.09 | 0.13 | 415.99 | Total Effects with Trans: |
| sting Effects @ Transient State (Max Value Timestep): | 17.06   | 37.60 | 84.57 | 251.85 | 2.00 | 7.17   | 8.15  | 3.62 | 2.28 | 2.09 | 0.13 | 416.51 | Total Effects without Tr  |
| Transient State - Max. Value of Dep. After Transfer:  | 16.97   | 37.47 | 84.49 | 251.64 | 2.00 | 7.16   | 8.14  | 3.62 | 2.28 | 2.09 | 0.13 | 415.99 | Total Effects with Trans: |
| Steady State Change:                                  | -0.09   | -0.12 | -0.09 | -0.20  | 0.00 | -0.01  | -0.01 | 0.00 | 0.00 | 0.00 | 0.00 |        |                           |
| Transient State Change:                               | -0.09   | -0.12 | -0.09 | -0.20  | 0.00 | -0.01  | -0.01 | 0.00 | 0.00 | 0.00 | 0.00 |        |                           |

Figure 4 Calculated Effects Excerpt



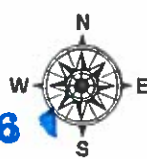
0 1 2 Miles

2015 Aerial Photography

## Legend

- Existing POD
- Proposed Added POD
- Twp & Rng
- Section
- WR Place of Use
- QQ

81436



## Application for Transfer-POD

*Pancheri, Inc.*

RMEA #13-0020

by: KM

January 2, 2017

