

11 / of
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77898

FEB 28 2012

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Department of Water Resources
Eastern Region

Name of Applicant(s) Pancheri Inc

Phone 208.767.3419

Mailing address 1494 Hwy 22 Howe ID 83244

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

[Signature]

Signature of Applicant or Authorized Representative

Red Pancheri Partner

Print Name and Title if applicable

2/28/2012

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. The application proposes to correct the place of use combining all water rights and changing a point of diversion from a previously split water right. Split to 33-7202 to correct and place of use and point of diversion for split portions of right.

77898

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	33-32A	2.14 cfs	Irrigation	04/01 to 11/01	Little Lost
☒ ☐	33-33A	2.20 cfs	Irrigation	04/01 to 11/01	Little Lost
☒ ☐	33-35A	.72 cfs	Irrigation	04/01 to 11/01	Badger Creek/Little Lost
☒ ☐	33-2068A	2.21 cfs	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	33-10997	.17 cfs	Irrigation	04/15 to 10/31	Ground Water
☐ ☒	33-7202	.21 cfs	Irrigation	04/15 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.69 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 4.69 cubic feet per second and/or acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	3	SE	NE	NW	3	08N	27E	Butte	Ground water	
		NE	NW	NE	33	09N	27E	Butte	Ground water	Rediversion
	3	SW	NE	NW	3	08N	27E	Butte	Ground water	Injection
		NE	SE	SW	34	09N	27E	Butte	Ground water	Rediversion
	****	NO	CHA	NGE	IN	SURF	ACE	***Ground water	ONLY****	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	27E	33													2				2
09N	27E	34									5	32	13	25			2		77
08N	27E	3		4	4		33	6		27	24					21			119

Total Acres (for irrigation use) 198

77898

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. 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: we have a weir to measure the surface water and a flow meter could be installed to measure ground water.

- b. Who owns the property at the point(s) of diversion? Applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: NA

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
This change will correct the place of use to accurately show the current irrigated acres.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Rights 33-33A, 33-35A, 33-2068A, and 33-32A currently have this place of use.

- f. To your knowledge, has/is 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 leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

77 89 8

Page 6 of

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 33-32A

Current Owner: PANCHERI INC

Priority Date: 6/1/1891

Origin: Water Right

Status: Active

Basis: Decreed

Source

LITTLE LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

2.14 CFS

Annual Volume

Total Diversion

2.14 CFS

Location of Point(s) of Diversion

LITTLE LOST RIVER

NE1/4NW1/4NE1/4

Sec. 33, Twp 09N, Rge 27E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T08N R27E S3	NWNE	1.00	T08N R27E S3	NENW	25.00
T08N R27E S3	NWNW	4.00	T08N R27E S3	SENW	32.00
T08N R27E S3	NESW	32.00	T08N R27E S3	NWSE	15.00
T09N R27E S33	NESE	4.00	T09N R27E S34	NWSW	31.00
T09N R27E S34	SWSW	12.00	T09N R27E S34	SESW	22.00

Total Acres: 178

77898

Page 7 of

Conditions of Approval:

1. R43 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.
2. Rights 33-32A, 33-33A, 33-35A, 33-2068A and 33-10997 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 178 acres.
3. R05 Use of water under this right will 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.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. X35 Rights 33-32A and 33-33A when combined shall not exceed a total diversion rate of 2.2 cfs and the irrigation of 55 acres.
6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. T19 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 8/11/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 33-33A

Current Owner: PANCHERI INC

Priority Date: 6/1/1905

Origin: Water Right

Status: Active

Basis: Decreed

Source

LITTLE LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

2.2 CFS

Annual Volume

Total Diversion

2.2 CFS

Location of Point(s) of Diversion

LITTLE LOST RIVER

NE1/4NW1/4NE1/4

Sec. 33, Twp 09N, Rge 27E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T08N R27E S3	NWNE	1.00	T08N R27E S3	NENW	25.00
T08N R27E S3	NWNW	4.00	T08N R27E S3	SENW	32.00
T08N R27E S3	NESW	32.00	T08N R27E S3	NWSE	15.00
T09N R27E S33	NESE	4.00	T09N R27E S34	NWSW	31.00
T09N R27E S34	SWSW	12.00	T09N R27E S34	SESW	22.00

Total Acres: 178

Page 9 of _____

Conditions of Approval:

1. Rights 33-32A, 33-33A, 33-35A, 33-2068A and 33-10997 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 178 acres.
2. R43 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. R05 Use of water under this right will 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.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T19 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. X35 Rights 33-32A and 33-33A when combined shall not exceed a total diversion rate of 2.2 cfs and the irrigation of 55 acres.

Decreed Date: 8/11/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 33-35A

Current Owner: PANCHERI INC

Priority Date: 3/6/1907

Origin: Water Right

Status: Active

Basis: Decreed

Source

BADGER CREEK
LITTLE LOST RIVER

Tributary

LITTLE LOST RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Total Diversion

Diversion Rate

0.72 CFS

0.72 CFS

Annual Volume

Location of Point(s) of Diversion

BADGER CREEK
BUTTE County
LITTLE LOST RIVER
BUTTE County

NE1/4SE1/4SW1/4 Sec. 34, Twp 09N, Rge 27E B.M.
NE1/4NW1/4NE1/4 Sec. 33, Twp 09N, Rge 27E B.M.

Place of Use

IRRIGATION Within BUTTE County

T08N R27E S3	NWNE	1.00	T08N R27E S3	NENW	25.00
T08N R27E S3	NWNW	4.00	T08N R27E S3	SENE	32.00
T08N R27E S3	NESW	32.00	T08N R27E S3	NWSE	15.00
T09N R27E S33	NESE	4.00	T09N R27E S34	NWSW	31.00
T09N R27E S34	SWSW	12.00	T09N R27E S34	SESW	22.00

Total Acres: 178

Conditions of Approval:

1. R43 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.
2. X53 Diversion of water from the Little Lost River is limited to those times water is available for diversion under this right and priority from Badger Creek at the original point of diversion in the NESESW, S34 T09N R27E and to the amount of water that actually reaches the Little Lost River
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Rights 33-35A and 33-2068A when combined shall not exceed a total diversion rate of 2.28 cfs and the irrigation of 114 acres.
7. T19 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.
8. X49 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Badger Creek at the original point of diversion, at the mouth of Badger Creek where it discharges into the Little Lost River and at the point of diversion from the Little Lost River
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. X35 Rights 33-35A, 33-2068A, and 33-10997 when combined shall not exceed a total diversion rate of 2.28 cfs, a total annual maximum diversion volume of 430.5 af at the field headgate and the irrigation of 123 acres.
11. Rights 33-32A, 33-33A, 33-35A, 33-2068A and 33-10997 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 178 acres.
12. X27 This right is limited to the irrigation of 105.9 acres within the place of use described above in a single irrigation season.
13. R05 Use of water under this right will 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.
14. The diversion or rediversion on Badger Creek described within the NE¼SE¼SW¼ of Section 34, Township 9 North, Range 27 East, B.M., Butte County, shall not be used under this right prior to December 31, 2037.

Decreed Date: 5/1/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 33-2068A

Current Owner: PANCHERI INC

Priority Date: 1/14/1953

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	2.21 CFS	399 AF
	<u>Total Diversion</u>	2.21 CFS	399 AF

Location of Point(s) of Diversion

GROUND WATER	L3(SE1/4NE1/4NW1/4)	Sec. 3,	Twp 08N,	Rge 27E B.M.
BUTTE County				
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 33,	Twp 09N,	Rge 27E B.M.
BUTTE County	(Rediversion)			
GROUND WATER	L3(SW1/4NE1/4NW1/4)	Sec. 3,	Twp 08N,	Rge 27E B.M.
BUTTE County	(Injection)			
GROUND WATER	NE1/4SE1/4SW1/4	Sec. 34,	Twp 09N,	Rge 27E B.M.
BUTTE County	(Rediversion)			

Place of Use

IRRIGATION Within BUTTE County

T08N R27E S3	NWNE	1.00	T08N R27E S3	NENW	25.00
T08N R27E S3	NWNW	4.00	T08N R27E S3	SENW	32.00
T08N R27E S3	NESW	32.00	T08N R27E S3	NWSE	15.00
T09N R27E S33	NESE	4.00	T09N R27E S34	NWSW	31.00
T09N R27E S34	SWSW	12.00	T09N R27E S34	SESW	22.00

Total Acres: 178

Conditions of Approval:

1. X36 Rights 33-2068B and 33-10997 are also diverted through the point(s) of diversion described above.
2. X35 Rights 33-35A, 33-2068A, and 33-10997 when combined shall not exceed a total diversion rate of 2.28 cfs, a total annual maximum diversion volume of 430.5 af at the field headgate and the irrigation of 123 acres.
3. T19 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.
4. The diversion or rediversion on Badger Creek described within the NE¼SE¼SW¼ of Section 34, Township 9 North, Range 27 East, B.M., Butte County, shall not be used under this right prior to December 31, 2037.
5. Rights 33-32A, 33-33A, 33-35A, 33-2068A and 33-10997 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 178 acres.
6. Water Diverted under this right is exchanged by injecting water diverted under this right into the Little Lost River at the point of injection described above, and diverting an equal amount from Little Lost River or Badger Creek at the point of rediversion(s) described above.
7. R43 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 point of injection and point of rediversion.
8. Rights 33-35A and 33-2068A when combined shall not exceed a total diversion rate of 2.28 cfs and the irrigation of 114 acres.
9. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. R05 Use of water under this right will 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.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 004 This right does not grant any right-of-way or easement across the land of another.

Decreed Date: 5/1/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 33-10997

Current Owner: PANCHERI INC

Priority Date: 4/15/1953

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.17 CFS	31.5 AF
	<u>Total Diversion</u>	0.17 CFS	31.5 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4	Sec. 34,	Twp 09N,	Rge 27E B.M.
BUTTE County		(Rediversion)		
GROUND WATER	L3(SE1/4NE1/4NW1/4)	Sec. 3,	Twp 08N,	Rge 27E B.M.
BUTTE County				
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 33,	Twp 09N,	Rge 27E B.M.
BUTTE County		(Rediversion)		
GROUND WATER	L3(SW1/4NE1/4NW1/4)	Sec. 3,	Twp 08N,	Rge 27E B.M.
BUTTE County		(Injection)		

Place of Use

IRRIGATION Within BUTTE County

T08N R27E S3	NWNE	1.00	T08N R27E S3	NENW	25.00
T08N R27E S3	NWNW	4.00	T08N R27E S3	SENW	32.00
T08N R27E S3	NESW	32.00	T08N R27E S3	NWSE	15.00
T09N R27E S33	NESE	4.00	T09N R27E S34	NWSW	31.00
T09N R27E S34	SWSW	12.00	T09N R27E S34	SESW	22.00

Total Acres: 178

Conditions of Approval:

1. X35 Rights 33-35A, 33-2068A, and 33-10997 when combined shall not exceed a total diversion rate of 2.28 cfs, a total annual maximum diversion volume of 430.5 af at the field headgate and the irrigation of 123 acres.
2. R43 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 point of injection and point of rediversion.
3. The diversion or rediversion on Badger Creek described within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 9 North, Range 27 East, B.M., Butte County, shall not be used under this right prior to December 31, 2037.
4. R05 Use of water under this right will 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.
5. Water Diverted under this right is exchanged by injecting water diverted under this right into the Little Lost River at the point of injection described above, and diverting an equal amount from Little Lost River or Badger Creek at the point of rediversion(s) described above.
6. T08 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. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. X27 This right is limited to the irrigation of 9 acres within the place of use described above in a single irrigation season.
9. Rights 33-32A, 33-33A, 33-35A, 33-2068A and 33-10997 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 178 acres.
10. X36 Rights 33-2068A and 33-2068B are also diverted through the point(s) of diversion described above.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T19 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.
13. 004 This right does not grant any right-of-way or easement across the land of another.

Decreed Date: 3/6/2002

Basis: Decreed

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	3.11 CFS	1050 AF
	<u>Total Diversion</u>	3.11 CFS	1050 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4NW1/4 Sec. 16, Twp 09N, Rge 27E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

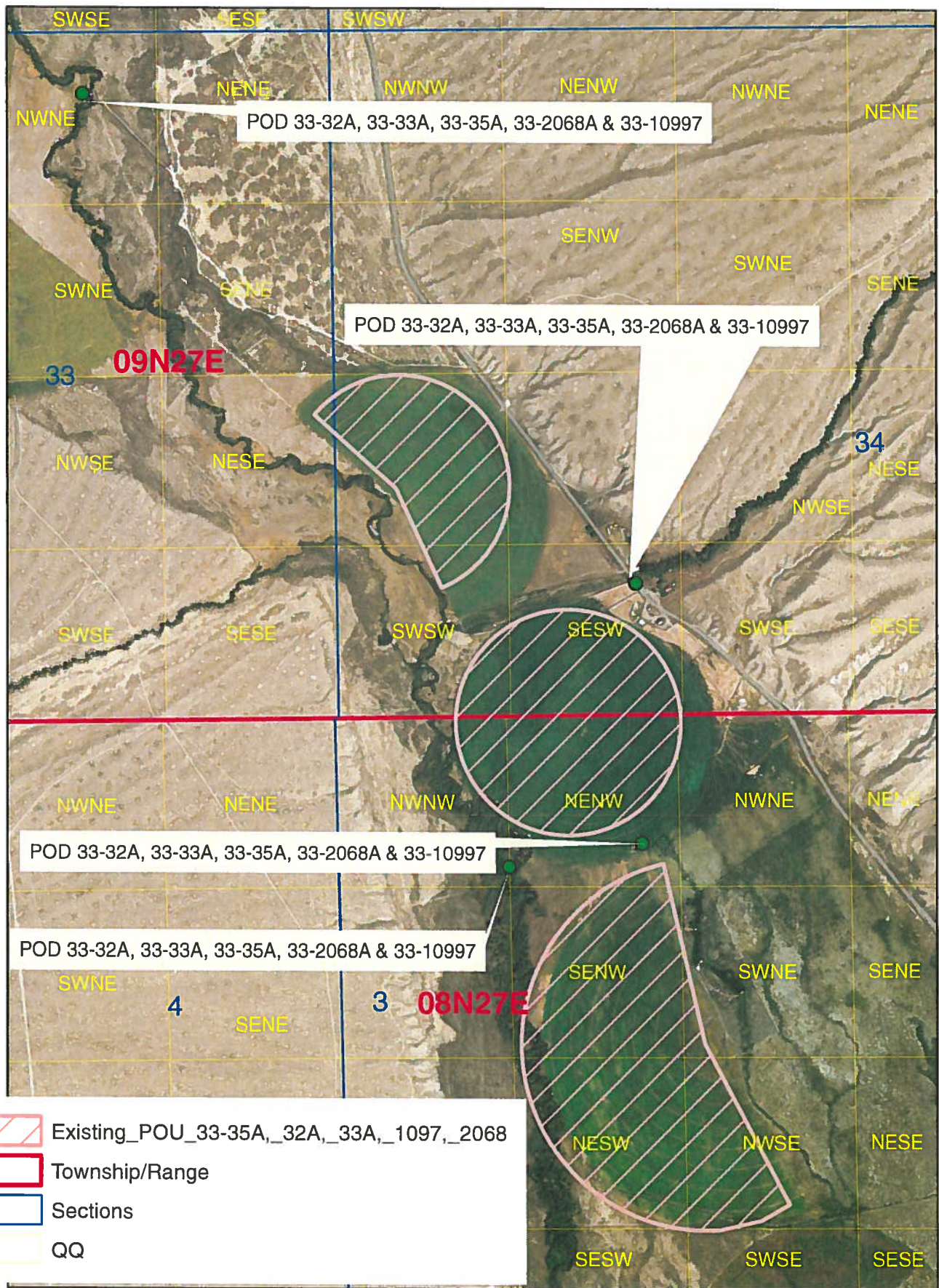
T09N	R27E	S9	SWNW	36.00	T09N	R27E	S9	SENW	37.00
T09N	R27E	S9	NESW	34.00	T09N	R27E	S9	NWSW	34.00
T09N	R27E	S9	SWSW	34.00	T09N	R27E	S9	SESW	34.00
T09N	R27E	S16	NENW	34.00	T09N	R27E	S16	NWNW	34.00
T09N	R27E	S16	SWNW	34.00	T09N	R27E	S16	SENW	34.00
T09N	R27E	S16	NESW	34.00	T09N	R27E	S16	NWSW	34.00
T09N	R27E	S16	SWSW	34.00	T09N	R27E	S16	SESW	34.00
T09N	R27E	S21	NENW	34.00	T09N	R27E	S21	NWNW	34.00
T09N	R27E	S21	SWNW	34.00	T09N	R27E	S21	SENW	34.00
T09N	R27E	S21	NESW	34.00	T09N	R27E	S21	NWSW	34.00
T09N	R27E	S21	SWSW	34.00	T09N	R27E	S21	SESW	34.00
T09N	R27E	S28	NENW	34.00	T09N	R27E	S28	NWNW	34.00
T09N	R27E	S28	SWNW	34.00	T09N	R27E	S28	SENW	34.00
T09N	R27E	S28	NESW	34.00	T09N	R27E	S28	NWSW	34.00
T09N	R27E	S28	SWSW	34.00	T09N	R27E	S28	SESW	34.00
T09N	R27E	S33	NWNE	5.00	T09N	R27E	S33	SWNE	22.00
T09N	R27E	S33	NENW	36.00	T09N	R27E	S33	SENW	34.00

Total Acres: 1122

Conditions of Approval:

1. 01M 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.
2. X35 Rights 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10070 and 33-10098 when combined shall not exceed a total diversion rate of 18.73 cfs, a total annual maximum diversion volume of 3927 af, and the irrigation of 1122 acres.
3. T19 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.
4. B09 This right is subject to regulation by the watermaster of Water District 33.
5. X35 Rights 33-7015 and 33-7202 when combined shall not exceed a total annual maximum diversion volume of 1666 af, and the irrigation of 476 acres.
6. R63 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.
7. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. X35 Rights 33-90E, 33-10070 and 33-7202 when combined shall not exceed the irrigation of 300 acres.
10. T08 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

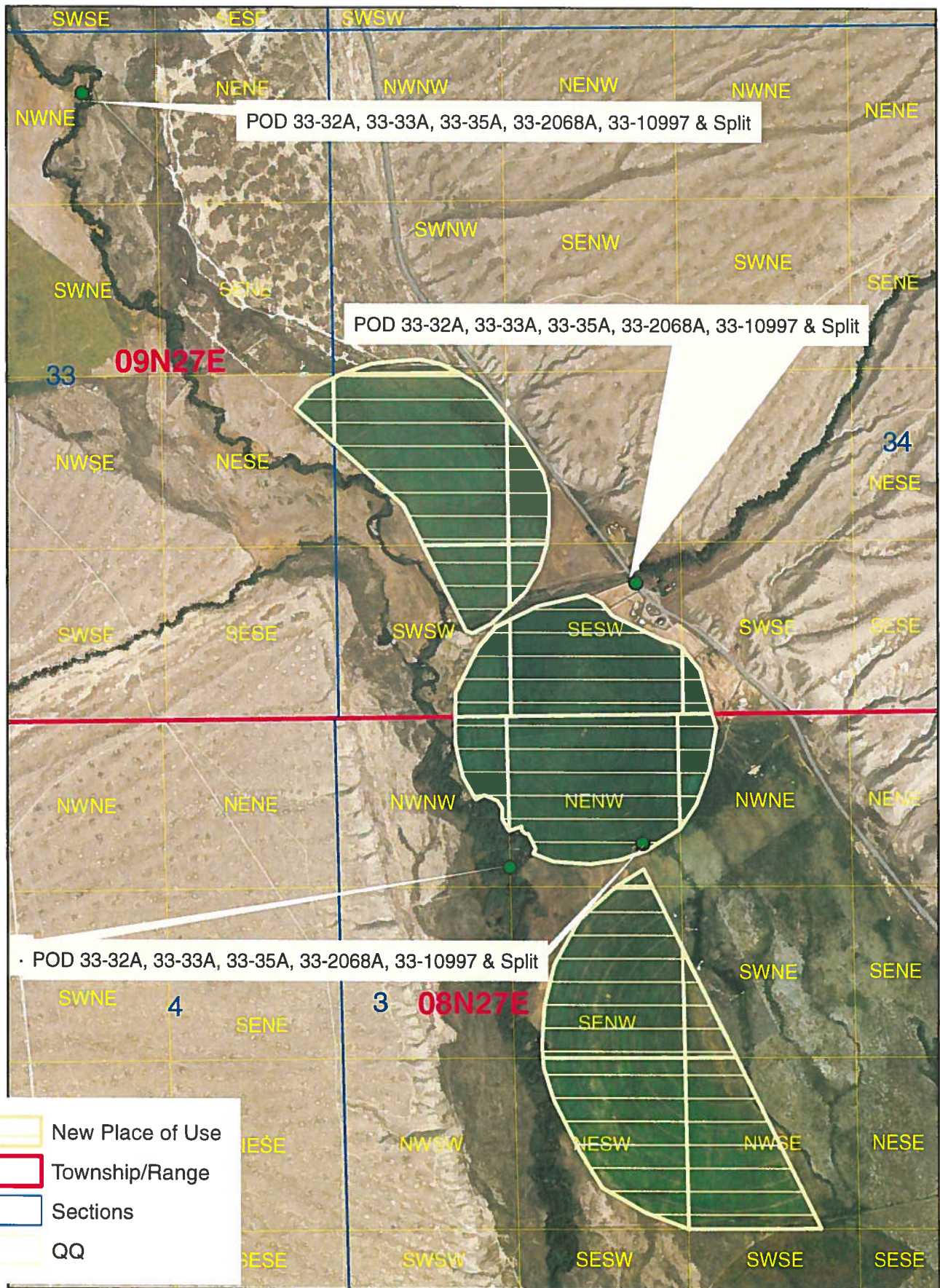
Decreed Date: 5/1/2002



Current Place of Use

77898

2011 Aerial Photograph



-  New Place of Use
-  Township/Range
-  Sections
-  QQ



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____