

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77784

This is to certify that: PANCHERI BROTHERS LLC
 1494 HWY 22
 HOWE ID 83244
 (208)767-3419

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
33-2138	WR/Decreed	03/03/1959	3.12 cfs	N/A	156.0	419.0	GROUND WATER
33-7040	WR/Decreed	10/16/1975	5.26 cfs	N/A	263.0	419.0	GROUND WATER
33-7172	WR/Decreed	04/02/1985	0.8 cfs	140 af	N/A	40.0	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	NO	NO	YES	NO	NO	NO
33-7040	NO	NO	YES	NO	NO	NO
33-7172	NO	NO	YES	NO	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	33-2138	3.12 cfs	546 af	156.0	459.0		N/A	N/A	N/A	N/A
33-7040	33-7040	5.26 cfs	920.5 af	263.0	459.0		N/A	N/A	N/A	N/A
33-7172	33-7172	0.8 cfs	140 af	40.0	459.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.7 cfs	1606.5 af	459	459		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of April, 2012


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 33-2138

WATER RIGHT NO. 33-7040
As Modified by Transfer No. 77784

In accordance with the approval of Transfer No. 77784, Water Right No. 33-7040 is now described as follows.

Right Holder: PANCHERI BROTHERS LLC
 1494 HWY 22
 HOWE ID 83244

Priority Date: October 16, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	5.26 CFS	920.5 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	Rge	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							35.0	32.4	38.4	32.6			33.8			11.9	39.4	23.9	247.4
06N	28E	12	40.0	40.0	40.0	25.5	40.0		26.1												211.6

Total Acres: 459

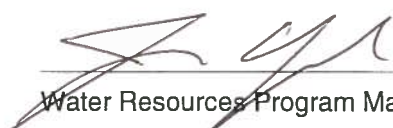
WATER RIGHT NO. 33-7040
As Modified by Transfer No. 77784

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 263 acres within the authorized place of use in a single irrigation season.
2. Rights 33-7040 and 33-2138 when combined shall not exceed a total diversion rate of 7.90 cfs, a total annual maximum diversion volume of 1466.5 af, and the irrigation of 419 acres.
3. Rights 33-7040, 33-7172 and 33-2138 when combined shall not exceed a total diversion rate of 8.70 cfs, a total annual maximum diversion volume of 1606.5 af, and the irrigation of 459 acres.
4. Prior to the diversion and use of water under Transfer approval 77784, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right 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.

Dated this 20th day of April, 2012


Water Resources Program Manager

WATER RIGHT NO. 33-7172
As Modified by Transfer No. 77784

In accordance with the approval of Transfer No. 77784, Water Right No. 33-7172 is now described as follows.

Right Holder: PANCHERI BROTHERS LLC
 1494 HWY 22
 HOWE ID 83244

Priority Date: April 02, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.80 CFS	140.0 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	Rge	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									35.0	32.4	38.4	32.6			33.8		11.9	39.4	23.9	247.4
06N	28E	12	40.0	40.0	40.0	25.5	40.0				26.1											211.6

Total Acres: 459

WATER RIGHT NO. 33-7172
As Modified by Transfer No. 77784

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 33-7172, 33-7040 and 33-2138 when combined shall not exceed a total diversion rate of 8.70 cfs, a total annual maximum diversion volume of 1606.5 af, and the irrigation of 459 acres.
3. Prior to the diversion and use of water under Transfer approval 77784, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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 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.

This water right 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.

Dated this 20th day of April, 2012



Water Resources Program Manager

WATER RIGHT NO. 33-2138
As Modified by Transfer No. 77784

In accordance with the approval of Transfer No. 77784, Water Right No. 33-2138 is now described as follows.

Right Holder: PANCHERI BROTHERS LLC
 1494 HWY 22
 HOWE ID 83244

Priority Date: March 03, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.12 CFS	546.0 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

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>	
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>		
06N 28E 1							35.0	32.4	38.4	32.6		33.8			11.9	39.4	23.9	247.4
06N 28E 12	40.0	40.0	40.0	25.5	40.0			26.1										211.6

Total Acres: 459

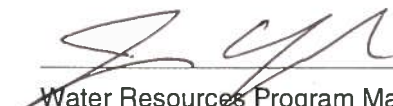
WATER RIGHT NO. 33-2138
As Modified by Transfer No. 77784

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 156 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 7.90 cfs, a total annual maximum diversion volume of 1466.5 af, and the irrigation of 419 acres.
3. Rights 33-2138, 33-7040 and 33-7172 when combined shall not exceed a total diversion rate of 8.70 cfs, a total annual maximum diversion volume of 1606.5 af, and the irrigation of 459 acres.
4. Prior to the diversion and use of water under Transfer approval 77784, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right 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.

Dated this 20th day of April, 2012



Water Resources Program Manager