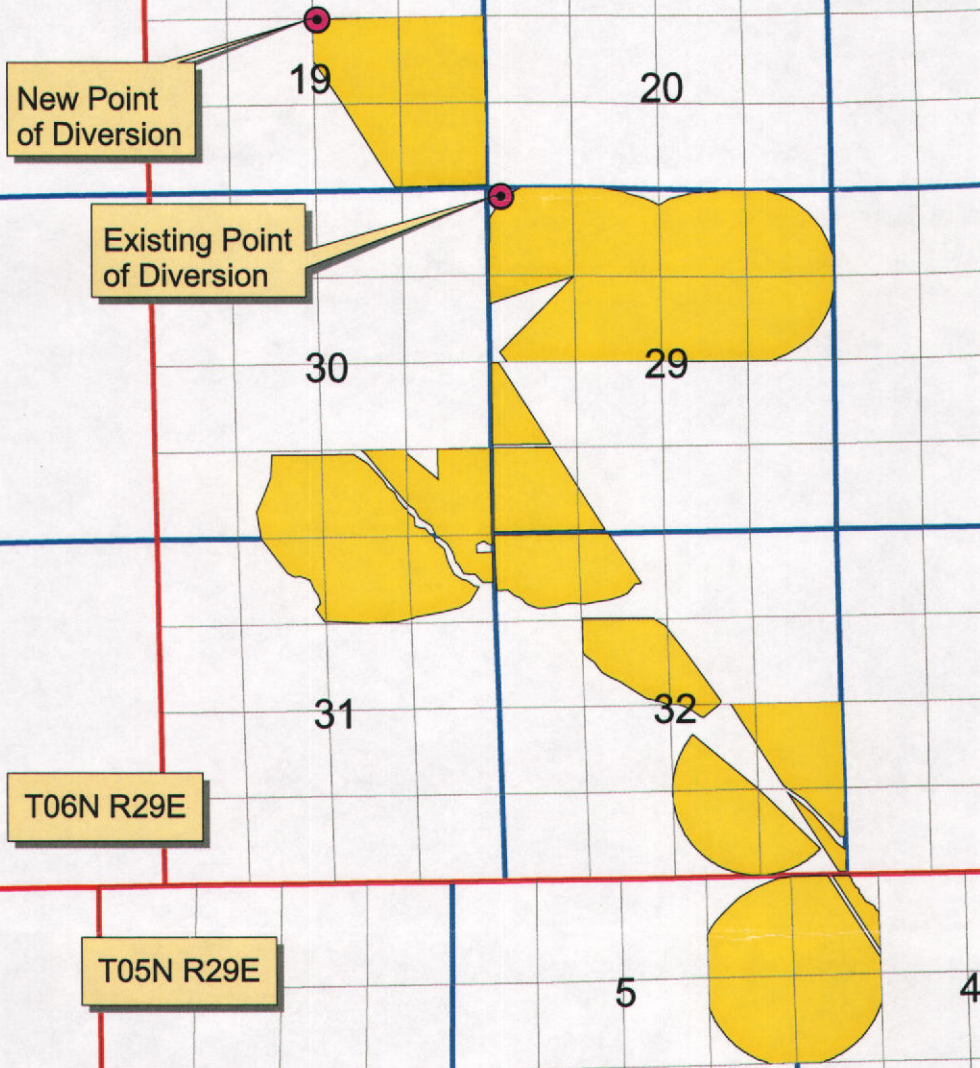




MICROFILMED
FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70402

This is to certify that: PANCHERI INC
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>
33-44	WR/Decreed	03/25/1885	1.4 cfs	245 af	70.0	991.0	LITTLE LOST RIVER
33-45	WR/Decreed	04/01/1886	2.4 cfs	420 af	120.0	991.0	LITTLE LOST RIVER
33-46	WR/Decreed	06/01/1891	1.3 cfs	227.5 af	65.0	991.0	LITTLE LOST RIVER
33-47	WR/Decreed	05/25/1891	2.1 cfs	367.5 af	105.0	991.0	LITTLE LOST RIVER
33-2056	WR/Decreed	01/18/1950	2.74 cfs	623 af	178.0	991.0	GROUND WATER,
33-2068B	WR/Decreed	01/14/1953	2.64 cfs	476 af	136.0	991.0	GROUND WATER,
33-2093	WR/Decreed	07/27/1960	2.41 cfs	847 af	242.0	991.0	GROUND WATER
33-2094	WR/Decreed	09/11/1960	4.11 cfs	1530 af	437.0	991.0	GROUND WATER
33-2126B	WR/Decreed	07/22/1966	4.04 cfs	962.5 af	275.0	991.0	GROUND WATER,
33-7038	WR/Decreed	02/03/1975	3.06 cfs	459 af	153.0	991.0	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>
33-44	NO	YES	NO	NO	NO	NO
33-45	NO	YES	NO	NO	NO	NO
33-46	NO	YES	NO	NO	NO	NO
33-47	NO	YES	NO	NO	NO	NO
33-2056	NO	NO	NO	NO	NO	NO
33-2068B	NO	NO	NO	NO	NO	NO
33-2093	NO	NO	NO	NO	NO	NO
33-2094	NO	NO	NO	NO	NO	NO
33-2126B	NO	NO	NO	NO	NO	NO
33-7038	NO	NO	NO	NO	NO	NO

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JUN 23 2003

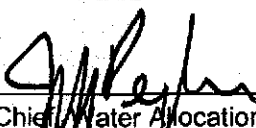
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70402

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-44	33-44	1.40 cfs	245.0 af	70.0	991.0		N/A	N/A	N/A	N/A
33-45	33-45	2.40 cfs	420.0 af	120.0	991.0		N/A	N/A	N/A	N/A
33-46	33-46	1.30 cfs	227.5 af	65.0	991.0		N/A	N/A	N/A	N/A
33-47	33-47	2.10 cfs	367.5 af	105.0	991.0		N/A	N/A	N/A	N/A
33-2056	33-2056	2.74 cfs	623.0 af	178.0	991.0		N/A	N/A	N/A	N/A
33-2068B	33-2068B	2.64 cfs	476.0 af	136.0	991.0		N/A	N/A	N/A	N/A
33-2093	33-2093	2.41 cfs	847.0 af	242.0	991.0		N/A	N/A	N/A	N/A
33-2094	33-2094	4.11 cfs	1530.0 af	437.0	991.0		N/A	N/A	N/A	N/A
33-2126B	33-2126B	4.04 cfs	962.5 af	275.0	991.0		N/A	N/A	N/A	N/A
33-7038	33-7038	3.06 cfs	459.0 af	153.0	991.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		18.32 cfs	3468.5 af	N/A	991.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11 day of June, 2003

For 
Chief Water Allocation Bureau

MICROFILMED
JUL 23 2003

WATER RIGHT NO. 33-44
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-44 is now described as follows.

Right Holder: PANCHERI INC
1494 HWY 22
HOWE ID 83244

Priority Date: March 25, 1885

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.40 CFS	245.0 AF
			1.40 CFS	245.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	L4 (NENWNW)	Sec. 4 Twp 05N Rge 29E	BUTTE County
LITTLE LOST RIVER	SESWNW	Sec. 30 Twp 06N Rge 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32 Twp 06N Rge 29E	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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

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JUL 23 2003

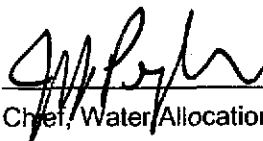
WATER RIGHT NO. 33-44
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. 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, Little Lost River.
3. Prior to diversion of water under this right, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
5. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
6. 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. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 11 day of June, 20 03

For 
Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-45
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-45 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: April 01, 1886

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	2.40 CFS	420.0 AF
			2.40 CFS	420.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	L4 (NENWNW)	Sec. 4 Twp 05N Rge 29E	BUTTE County
LITTLE LOST RIVER	SESWNW	Sec. 30 Twp 06N Rge 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32 Twp 06N Rge 29E	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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8				36.0	34.0	95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

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JUL 23 2003

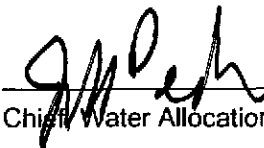
WATER RIGHT NO. 33-45
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this right, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. 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.
3. 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, Little Lost River.
4. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
5. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
6. 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. 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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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 11 day of June, 2003

For  _____
Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-46
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-46 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: June 01, 1891

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	1.30 CFS	227.5 AF
			1.30 CFS	227.5 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	L4 (NENWNW)	Sec. 4 Twp 05N Rge 29E	BUTTE County
LITTLE LOST RIVER	SESWNW	Sec. 30 Twp 06N Rge 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32 Twp 06N Rge 29E	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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8				36.0	34.0	95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-46
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this right, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. 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.
3. 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, Little Lost River.
4. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
5. This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
6. 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. 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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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 11 day of June, 2003


For Chief Water Allocation Bureau

MICROFILMED

111 23 2003

WATER RIGHT NO. 33-47
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-47 is now described as follows.

Right Holder: PANCHERI INC
1494 HWY 22
HOWE ID 83244

Priority Date: May 25, 1891

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	2.10 CFS	367.5 AF
			2.10 CFS	367.5 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	L4 (NENWNW)	Sec. 4 Twp 05N	Rge 29E	BUTTE County
LITTLE LOST RIVER	SESWNW	Sec. 30 Twp 06N	Rge 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32 Twp 06N	Rge 29E	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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-47
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this right, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. 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.
3. 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, Little Lost River.
4. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
5. This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.
6. 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. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 11 day of June, 20 03

For 
Chief Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-2056
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-2056 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: January 18, 1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.74 CFS	623.0 AF
			2.74 CFS	623.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSW Sec. 20 Twp 06N Rge 29E 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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

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JUL 23 2003

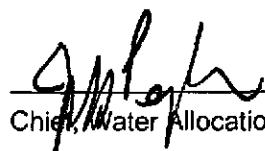
WATER RIGHT NO. 33-2056
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
4. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
5. This right is limited to the irrigation of 178 acres within the place of use described above in a single irrigation season.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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

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 11 day of June, 20 03


For Chief, Water Allocation Bureau

MICROFILMED

JUN 23 2003

WATER RIGHT NO. 33-2068B

As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-2068B is now described as follows.

Right Holder: PANCHERI INC.

1494 HWY 22

HOWE ID 83244

Priority Date: January 14, 1953**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.64 CFS	476.0 AF
			2.64 CFS	476.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

SEENW

Sec. 3 Twp 08N Rge 27E 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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILMED

JUL 23 2003

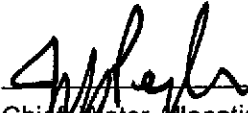
WATER RIGHT NO. 33-2068B
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
4. Rights 33-2068B and 33-2093 when combined shall not exceed a total annual volume of 987 af and the irrigation of 282 acres.
5. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
6. This right is limited to the irrigation of 136 acres within the place of use described above in a single irrigation season.
7. 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.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

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 11 day of June, 20 03


MICROFILMED Chief Water Allocation Bureau

JUL 23 2003

WATER RIGHT NO. 33-2093
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-2093 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: July 27, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.41 CFS	847.0 AF
			2.41 CFS	847.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 32 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-2093
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
4. 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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
8. Rights 33-2068B and 33-2093 when combined shall not exceed a total annual maximum diversion volume of 987 af and the irrigation of 282 acres.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

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 11 day of Jun, 2003



Chief, Water Allocation Bureau
MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-2094 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: September 11, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4.11 CFS	1,530.0 AF
			4.11 CFS	1,530.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSE	Sec. 19 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	NWNWNW	Sec. 29 Twp 06N	Rge 29E	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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30										25.8				36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILMED

JUL 23 2003

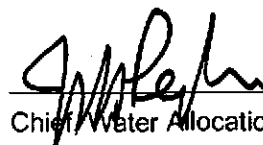
WATER RIGHT NO. 33-2094
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual maximum diversion volume of 1530 af at the field headgate, and the irrigation of 437 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 lands above.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 11 day of June, 2003


For Chief Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-2126B
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-2126B is now described as follows.

Right Holder: PANCHERI INC
1494 HWY 22
HOWE ID 83244

Priority Date: July 22, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.04 CFS	962.5 AF
			4.04 CFS	962.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 19 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILM

JUL 23 2003

WATER RIGHT NO. 33-2126B
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs from all authorized points of diversion and the irrigation of 554 acres.
4. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual maximum diversion volume of 1950.2 af.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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

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 11 day of June, 20 03

For


Chief Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 33-7038
As Modified by Transfer No. 70402

In accordance with the approval of Transfer No. 70402, Water Right No. 33-7038 is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: February 03, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	3.06 CFS	459.0 AF
			3.06 CFS	459.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNW Sec. 29 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

MICROFILM

JUL 23 2003

WATER RIGHT NO. 33-7038
As Modified by Transfer No. 70402

CONDITIONS OF APPROVAL

1. 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.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual maximum diversion volume of 1530 af at the field headgate, and the irrigation of 437 acres.
4. This right is limited to the irrigation of 153 acres within the place of use described above in a single irrigation season
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 11 day of June, 2003


For Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69864

This is to certify that: PANCHERI INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
33-2094	WR/Decreed	09/11/1960	4.11 cfs	1530 af	437.0	991.0	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>
33-2094	NO	NO	NO	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>
33-2094	33-2094	4.11 cfs	1530 af	437.0	991.0		N/A	N/A	N/A	N/A
TOTALS		4.11 cfs	1530 af	437.0	991.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of December, 2002


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 69864

In accordance with the approval of Transfer No. 69864, Water Right No. 33-2094 is now described as follows.

Right Holder: PANCHERI INC
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: September 11, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	4.11 CFS	1,530.0 AF
		4.11 CFS	1,530.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWNW Sec. 29 Twp 06N Rge 29E 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	
05N 29E 4						41.0	34.0										75.0
						L 4											
05N 29E 5	37.0			34.0													71.0
	L 1																
06N 29E 19													40.0	36.0	14.0	38.0	128.0
06N 29E 29	33.0	39.0	39.0	32.0	39.0	38.0	26.0	40.0	15.0	35.0	3.0						339.0
06N 29E 30											26.0			37.0	35.0		98.0
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		16.0	31.0		30.0					36.0	18.0	31.0	28.0	201.0

Total Acres: 991

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 33-2094 shall not exceed 4.11 cfs, nor total combined annual volume of 1530 af.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 69864

CONDITIONS OF APPROVAL

3. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual maximum diversion volume of 1530 af at the field headgate, and the irrigation of 437 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. 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.
7. Use of water under this right is combined with water from Blaine County Canal Co.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. 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.
10. Right 33-7038 is also diverted through the point(s) of diversion described above.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. 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. 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 10th day of December, 20 02


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69864RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Pow-Hill Inc % Holden, Kidwell, Helms & Crapo Phone 208-523-0620Office address Department of Water Resources 50130 Idaho Falls, ID 83405

RECEIVED

APR 03 2002

Department of Water Resources
Eastern Region

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes When transfer # 68522 was filed a point of diversion was left off even though it appeared in the partial decree. This transfer corrects that oversight.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>33-2094</u>	<u>9-11-1966</u>	<u>4.11 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.11 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	SE	19	6N	29E	Butte	"Additional PD"
	NW	NW	NW	29	6N	29E	Butte	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	4						41	34										75
		5				34													71
6N	29E	19													40	36	14	38	128
		29	33	39	39	32	39	38	26	40		15	35	3					339
		30												26			37	35	98
		31	28	39			12												79
		32			11		16	31		30					36	18	31	28	201

FEB 11 2003

Total Acres 991

69864

PART 1

6. General Information:

a. Description of diversion system Well and pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

NA. Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NA

d. Remarks:

Corporate officers are; Jerry Pancheri, President
Rock Pancheri, Vice President, Ryan Pancheri, Secretary.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

MICROFILMED

For the Director

FEB 11 2003

Page 1

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

Current Water Right No. 33-2094

Priority Date: 09/11/1960
Origin: Water Right
Basis: License
Status: Closed

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.11 CFS	1,530.0 AFA	
Total Diversion		4.11 CFS	1,530.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	06N	29E	29	NWNWNW		BUTTE

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	
05N	29E	4						41.0	34.0										75.0
								L 4											
05N	29E	5	37.0			34.0													71.0
			L 1																
06N	29E	19													40.0	36.0	14.0	38.0	128.0
06N	29E	29	33.0	39.0	39.0	32.0	39.0	38.0	26.0	40.0	15.0	35.0	3.0						339.0
06N	29E	30										26.0				37.0	35.0		98.0
06N	29E	31	28.0	39.0			12.0												79.0
06N	29E	32			11.0		16.0	31.0		30.0					36.0	18.0	31.0	28.0	201.0

Total Acres: 991

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 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.

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Page 2

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

Current Water Right No. 33-2094

3. USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1530 AF.
4. USE OF THIS RIGHT WITH RIGHT NO. 33-07038 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437 ACRES IN A SINGLE IRRIGATION SEASON.
5. USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM BLAINE COUNTY CANAL CO.
6. RIGHT NO. 33-07038 IS ALSO DIVERTED THROUGH POINT OF DIVERSION IN SECTION 29, DESCRIBED ABOVE.
7. The right holder shall accomplish the change authorized by transfer 68522 by October 17, 2001.
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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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New Point
of Diversion

Existing Point
of Diversion

T06N R29E

T05N R29E

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PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

(Signature of Applicant)

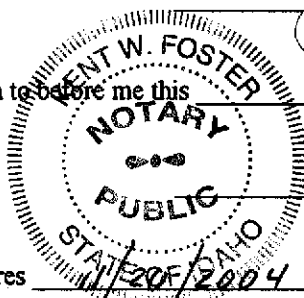
Subscribed and sworn to before me this

29th

day of

March

, 20 02



(Notary Public)

My commission expires

11/20/2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by HWT Date 4-3-02

Protest filed by _____

Prelim. Check by _____ Fee \$100.00

Received by HWT # E027604 Date 4-3-02

Published in Arco Advertiser

Copies of protest forwarded by _____

Pub. Dates May 9 & 16, 2002

Hearing held by _____ Date _____

Watermaster recommendations requested on _____

Recommended for ☒ approval ☐ denial

received _____

by RDC

Copy of transfer sent to lien holder _____

MICHAEL

FEB 11 2003

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
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ROBERT M. FOLLETT
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THEL W. CASPER
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AMELIA A. SHEETS

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

April 1, 2002

RECEIVED
APR 03 2002
Department of Water Resources
Eastern Region

Harold Jones
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402

Re: Application for Transfer to add point of diversion to right no. 33-2094 in the name of Pancheri, Inc.

Dear Mr. Jones:

Enclosed is the signed application for transfer on behalf of Pancheri, Inc., to include the well in section 19 as a point of diversion because it was inadvertently left out when we were doing the transfer and adjudicating. We have enclosed our check in the amount of \$100.00 for a filing fee and are requesting it be treated as sufficient under these circumstances since the purpose of this transfer is to correct an error that Pancheri, Inc., did not cause and probably could not have prevented.

We are certainly not trying to cast aspersions, because we think we can see in retrospect how the mistake occurred, and why it was difficult to catch. Now that it has been discovered, we agree it needs to be corrected, and that the only practical means of doing so is the proposed transfer proceeding to add a point of diversion.

As you know, when we first prepared the application for transfer, the adjudication people had right no. 33-2094 split into two pieces, 2094A and 2095B. Although there have been two wells under right no. 33-2094 since approximately 1960, when the right was split into the A and B portions, the well in section 19 was the point of diversion for 2094A and the well in section 29 was the point of diversion for 2094B. We included only 2094B in our transfer application filed about mid February of 2000. Then, about late August of that year,

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T 69864
ATTACHMENT 1 OF 2

Harold Jones
April 1, 2002
Page 2 of 2

you called and advised that the Adjudication had put the right (2094) back together as one right (for reasons I never knew). You instructed us how to modify the transfer application, which we did about September 1, 2000, and it was subsequently approved on October 17, 2001. Apparently the partial decree for this right was entered by the SRBA Court on August 7, 2000.

Someone at IDWR just recently discovered that when the documentation was revised after 2094A and 2094B were reconsolidated into 2094, the point of diversion for the well in section 19 was omitted, we assume inadvertently. Although there may be no good way to rectify the omission other than through a new transfer proceeding to add the point of diversion, it doesn't seem to us the applicant ought to bear the entire expense since the mistake was not of his making. We therefore request the reduction of the application fee to \$100.00. Thank you for your kind consideration in this matter.

Yours very truly,



Kent W. Foster

Enclosure

G:\WPDATA\KWF\7548 PANCHERI, INC\Correspondence\Harold Jones ltr40102.wpd.cdv

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FEB 11 2003

ATTACHMENT T 69864
2 OF 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68522

This is to certify that: PANCHERI INC
C/O HOLDEN KIDWELL
HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
33-44	AJC/Decreed	03/25/1885	1.40 cfs		554.0	554.0	LITTLE LOST RIVER
33-45	AJC/Decreed	04/01/1886	2.40 cfs		554.0	554.0	LITTLE LOST RIVER
33-46	AJC/Decreed	06/01/1891	1.30 cfs		554.0	554.0	LITTLE LOST RIVER
33-47	AJC/Decreed	05/25/1891	2.10 cfs		554.0	554.0	LITTLE LOST RIVER
33-2056	AJC/License	01/18/1950	2.74 cfs		554.0	554.0	GROUND WATER
33-2068B	AJC/License	01/14/1953	2.64 cfs		282.0	282.0	GROUND WATER
33-2093	AJC/License	07/27/1960	2.41 cfs		282.0	282.0	GROUND WATER
33-2094	AJC/License	09/11/1960	4.11 cfs	1530.0 af	437.0	437.0	GROUND WATER
33-2126B	AJC/License	07/22/1966	4.04 cfs		554.0	554.0	GROUND WATER
33-7038	AJC/License	02/03/1975	3.06 cfs	459.0 af	308.0	308.0	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>
33-44	NO	NO	YES	NO	NO	NO
33-45	NO	NO	YES	NO	NO	NO
33-46	NO	NO	YES	NO	NO	NO
33-47	NO	NO	YES	NO	NO	NO
33-2056	NO	NO	YES	NO	NO	NO
33-2068B	NO	NO	YES	NO	NO	NO
33-2093	NO	NO	YES	NO	NO	NO
33-2094	NO	NO	YES	NO	NO	NO
33-2126B	NO	NO	YES	NO	NO	NO
33-7038	NO	NO	YES	NO	NO	NO

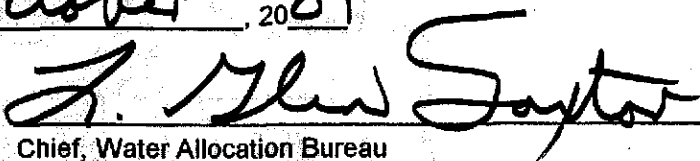
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Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-44	33-44	1.4 cfs	245 af	70.0	991.0		N/A	N/A		N/A
33-45	33-45	2.4 cfs	420 af	120.0	991.0		N/A	N/A		N/A
33-46	33-46	1.3 cfs	227.5 af	65.0	991.0		N/A	N/A		N/A
33-47	33-47	2.1 cfs	367.5 af	105.0	991.0		N/A	N/A		N/A
33-2056	33-2056	2.74 cfs	623 af	178.0	991.0		N/A	N/A		N/A
33-2068B	33-2068B	2.64 cfs	476 af	136.0	991.0		N/A	N/A		N/A
33-2093	33-2093	2.41 cfs	847 af	242.0	991.0		N/A	N/A		N/A
33-2094	33-2094	4.11 cfs	1530 af	437.0	991.0		N/A	N/A		N/A
33-2126B	33-2126B	4.04 cfs	962.5 af	275.0	991.0		N/A	N/A		N/A
33-7038	33-7038	3.06 cfs	459 af	153.0	991.0		N/A	N/A		N/A
TOTALS		18.32 cfs	3468.5 af	991	991		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of October, 2001



Chief, Water Allocation Bureau

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WATER RIGHT NO. 33-44
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-44 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 03/25/1885

Source: LITTLE LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.40 CFS	245.0 AF
			1.40 CFS	245.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER SESWNW Sec. 30 Twp 06N Rge 29E BUTTE County
 LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06NRge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30									25.8				36.0	34.0			95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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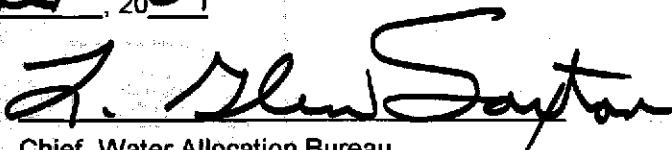
WATER RIGHT NO. 33-44
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs, and the irrigation of 554 acres.
8. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

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NOV 13 2001

WATER RIGHT NO. 33-45
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-45 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 04/01/1886

Source: LITTLE LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.40 CFS	420.0 AF
			2.40 CFS	420.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER SESWNW Sec. 30 Twp 06N Rge 29E BUTTE County
 LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06NRge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30									25.8					36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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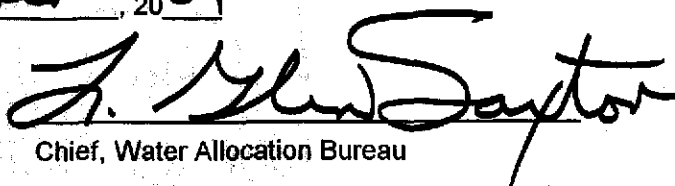
WATER RIGHT NO. 33-45
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs, and the irrigation of 554 acres.
8. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

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NOV 13 2001

WATER RIGHT NO. 33-46
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-46 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 06/01/1891

Source: LITTLE LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.30 CFS	227.5 AF
			1.30 CFS	227.5 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER SESWNW Sec. 30 Twp 06N Rge 29E BUTTE County
 LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06NRge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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NOV 13 2001

WATER RIGHT NO. 33-46
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs, and the irrigation of 554 acres.
8. This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

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NOV 13 2001

WATER RIGHT NO. 33-47
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-47 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 05/25/1891

Source: LITTLE LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.10 CFS	367.5 AF
			2.10 CFS	367.5 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER SESWNW Sec. 30 Twp 06N Rge 29E BUTTE County
 LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06NRge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30									25.8					36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILM
 NOV 13 2001

WATER RIGHT NO. 33-47
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs, and the irrigation of 554 acres.
8. This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

2001 13 2001

WATER RIGHT NO. 33-2056
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2056 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 01/18/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.74 CFS	623.0 AF
			2.74 CFS	623.0 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWNWSW Sec. 20 Twp 06NRge 29E 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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30												25.8		36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
 NOV 13 2001

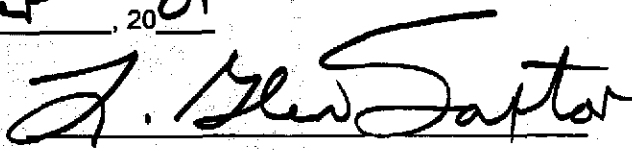
WATER RIGHT NO. 33-2056
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs and the irrigation of 554 acres.
8. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
9. This right is limited to the irrigation of 178 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 13 2001

WATER RIGHT NO. 33-2068B
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2068B is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 01/14/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.64 CFS	476.0 AF
			2.64 CFS	476.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 3 Twp 08N Rge 27E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30												25.8		36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
 NOV 13 2001

WATER RIGHT NO. 33-2068B

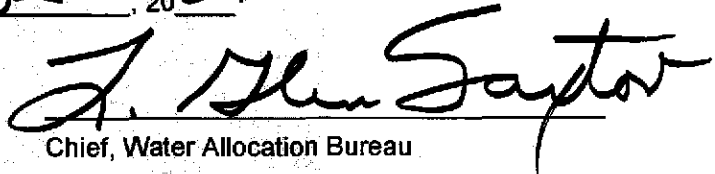
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs and the irrigation of 554 acres.
8. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
9. Rights 33-2068B and 33-2093 when combined shall not exceed a total diversion rate of 5.64 cfs, a total annual diversion rate of 987 af and the irrigation of 282 acres.
10. This right is limited to the irrigation of 136 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 13 2001

WATER RIGHT NO. 33-2093
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2093 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 07/27/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.41 CFS	847.0 AF
			2.41 CFS	847.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 32 Twp 06N Rge 29E 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	
05N 29E 4						41.6	34.0										75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
 NOV 13 2001

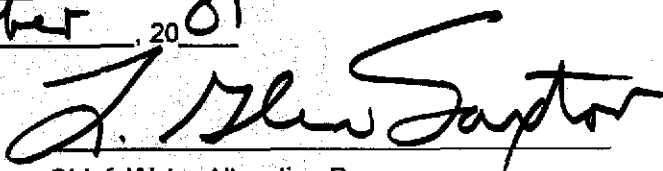
WATER RIGHT NO. 33-2093
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs and the irrigation of 554 acres.
8. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
9. Rights 33-2068B and 33-2093 when combined shall not exceed a total diversion rate of 5.64 cfs, a total annual diversion volume of 987 af and the irrigation of 282 acres.
10. This right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001


Chief, Water Allocation Bureau

MAILED

NOV 13 2001

WATER RIGHT NO. 33-2094
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2094 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 09/11/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4.11 CFS	1,530.0 AF
			4.11 CFS	1,530.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 29 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30											25.8			36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
 NOV 13 2001

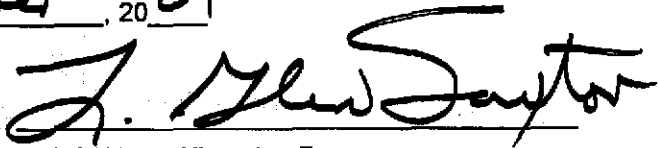
WATER RIGHT NO. 33-2094
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual diversion volume of 1530 af and the irrigation of 437 acres.

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 17th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 13 2001

WATER RIGHT NO. 33-2126B
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-2126B is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 07/22/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.04 CFS	962.5 AF
			4.04 CFS	962.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 19 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30												25.8		36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MADE FOR...

NOV 13 1980

WATER RIGHT NO. 33-2126B
As Modified by Transfer No. 68522

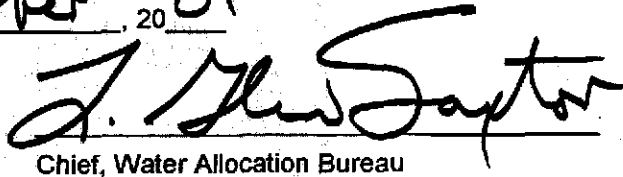
CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total diversion rate of 11.15 cfs and the irrigation of 554 acres.
8. Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
9. This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.

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

17th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 13 2001

WATER RIGHT NO. 33-7038
As Modified by Transfer No. 68522

In accordance with the approval of Transfer No. 68522, Water Right No. 33-7038 is now described as follows.

Right Holder: PANCHERI INC
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 02/03/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.06 CFS	459.0 AF
			3.06 CFS	459.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 29 Twp 06N Rge 29E 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	
05N 29E 4					41.6	34.0											75.6
05N 29E 5	37.0			34.0													71.0
06N 29E 19													40.0	36.0	15.0	38.0	129.0
06N 29E 29	33.0	39.0	39.0	33.0	39.0	38.0	25.7	39.0	14.0	32.7	4.0						336.4
06N 29E 30												25.8		36.0	34.0		95.8
06N 29E 31	28.0	39.0			12.0												79.0
06N 29E 32			11.0		14.5	32.0		30.8					32.0	23.3	33.3	27.3	204.2

Total Acres: 991

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED

NOV 13 2001

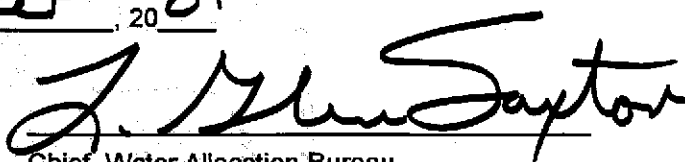
WATER RIGHT NO. 33-7038
As Modified by Transfer No. 68522

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Rights 33-2094 and 33-7038 when combined shall not exceed a total annual diversion volume of 1530 af and the irrigation of 437 acres.
8. This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.

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 17th day of October, 2001

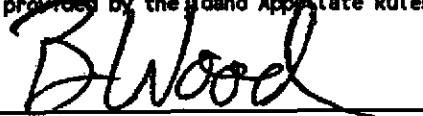

Chief, Water Allocation Bureau

MICHAEL J. SUTHERLAND

NOV 13 2001

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

NOV 13 2001

MEMORANDUM

TO: FILE 33-2094
FROM: VAULT
RE: TRANSFER # 70402
DATE: 3-21-03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 33-44

MICROFILMED

JUL 23 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 11, 2002

PANCHERI INC
C/O HOLDEN KIDWELL HAHN & CRAPO
ATTN KENT FOSTER
PO BOX 50130
IDAHO FALLS ID 83405

RE: Transfer No.: 69864 - Water Right 33-2094 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camille S. Steaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

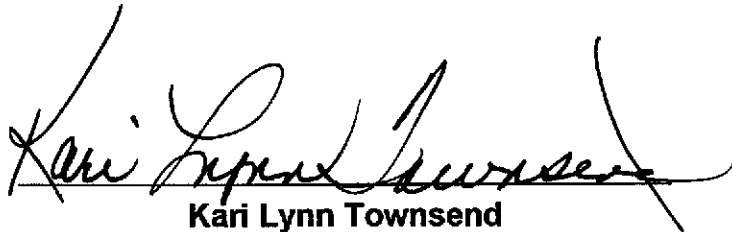
MICROFILMED
FEB 11 2003

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69864 - WATER RIGHT 33-2094

**PANCHERI INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405**


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 11 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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TRANSFER REVIEW SHEET

Trans # 69864

Date Reviewed 12/10/2002 KAW

Right No(s). * 33-2094

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes NO

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U _____ Lien Holder Release _____

GROUNDWATER:

DRILLING PERMIT

All wells

DP upgrade req'd Y N (contact GW personnel)

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

- R05 (WD# _____) WM comments rec'd _____

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

STANDARD SEASON 4-1 to 10-31 (use X61 if extended season)

STANDARD VOLUME 3.5 af/ac

CONSUMPTIVE USE VOLUME 2.5 af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

Irr., GW supp to SW

DOMESTIC

Surface water

>1 in restricted area

Irr use listed separate

- 022-075 RAFN - 007-109-X64

- 102

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

- 070-071-075 (no parks/common areas, etc)

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T17 - measure all p/d's (used with WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt

or Recomm yet)

T19 - replaces C18

(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS X36

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). NA

28 12-11-2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

4-3-02

T69864

INITIAL REVIEW BY: KCW

1. Right number 33-2094 Applicant Panchani Inc

2. Type of right: ☒ Decree ☐ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s)
☐ Change place of use ☐ Other _____

4. Check:

a. ☐ Source ☐ Priority ☒ Amount ☒ Purpose ☐ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☐ Check for expansion in use of right. Comments _____

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☒ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By RDC Date 6/5/02

Moved to WR.
Okay. EMC

AFFIDAVIT OF PUBLICATION

1. Colleen Babcock

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated May 9, 2002

and ending with the issue dated

May 16, 2002
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 16th day of May

in the year of 2002, before me, a Notary Public,

personally appeared

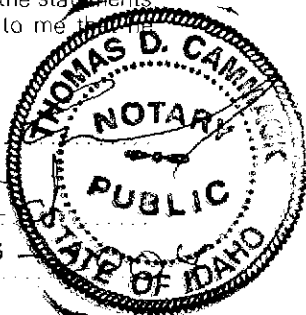
Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me to have executed the same.

Thomas D. Cannon
Notary Public for Idaho

Residing at Arco, Idaho

My commission expires: 1-23-2003



NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69864

PANCHERI INC., C/O HOLDEN KIDWELL
HAHN, PO BOX 50130, IDAHO FALLS ID
83405, has filed Application No. 69864 for
changes to the following water rights within
BUTTE County:

Right No. 33-2094
Priority: 9/11/1960
Source: GROUND WATER
Use: IRRIGATION (991 acres) 4.11 CFS
1,530.0 AFA
Total Amount: 4.11 CFS 1,530.0 AFA
Point(s) of Diversion: NWNWNW S29 T06N
R29E
Place of Use: S19 T06N R29E
S29 T06N R29E
S30 T06N R29E
S31 T06N R29E
S32 T06N R29E
S4 T05N R29E
S5 T05N R29E

The purpose of the transfer is to change
a portion of the above rights as follows:

The applicant had filed #68522 in 2001
to consolidate this ground and all its water
rights. An existing well location was inad-
vertently left off that transfer. This transfer
acknowledges there is a second well in the
NWSE SEC 19 T06N R29E that had been
decreed with this right.

Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change
must be filed with the Department of Water
Resources, Eastern Region, 900 N Skyline
Dr Ste A, Idaho Falls ID 83402 together with
a protest fee of \$25.00 for each application
on or before May 28, 2002. The protestant
must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director

Published on May 9 and 16, 2002.

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1998 1 475

5/22/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 01, 2002

PANCHERI INC
C/O HOLDEN KIDWELL HAHN
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer No 69864
Water Right No(s) 33-2094

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Arco Advertiser on May 9 and 16, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

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FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 01, 2002

Legal Notice Department
ARCO ADVERTISER
PO BOX C
ARCO ID 83213

RE: Transfer No. 69864, 69865

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before May 28, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
5/1/02
sc*

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FEB 11 2003

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69864

PANCHERI INC, C/O HOLDEN KIDWELL HAHN, PO BOX 50130, IDAHO FALLS ID 83405, has filed Application No. 69864 for changes to the following water rights within BUTTE County:

Right No. 33-2094

Priority 9/11/1960

Source GROUND WATER

Use IRRIGATION (991 acres) 4.11 CFS 1,530.0 AFA

Total Amount 4.11 CFS 1,530.0 AFA

Point(s) of Diversion NWNWNW S29 T06N R29E

Place of Use
S19 T06N R29E
S29 T06N R29E
S30 T06N R29E
S31 T06N R29E
S32 T06N R29E
S4 T05N R29E
S5 T05N R29E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant had filed transfer #68522 in 2001 to consolidate this ground and all its water rights. An existing well location was inadvertently left off that transfer. This transfer acknowledges there is a second well in the NWSE SEC 19 T06N R29E that had been decreed with this right.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before May 28, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 9 and 16, 2002

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FEB 11 2003

MEMORANDUM

DATE: March 7, 2002

TO: ~~Glen Saxton~~ File 33-2094

FROM: Shelley W. Keen *SWK*

RE: Request for re-issuance of Transfer 68522 (Old Number 5839)

Transfer 68522 combined 10 water rights into a permissible place of use. In the attached memo Skip says that another point of diversion should have been included on Transfer 68522 for Right 33-2094. He wants us to re-issue the transfer approval with the additional point of diversion. The Part 2 showing the right as recorded includes the additional point of diversion. However, Part 1 of the transfer application, which is intended to show how the rights should look after the transfer, does not show the additional point of diversion. The application was advertised, processed, and approved exactly as requested in Part 1. The transfer approval was issued as a preliminary order, and the applicant was notified of the opportunity to petition for reconsideration. No petitions were filed, and the preliminary order became final on November 14, 2002. The opportunity to appeal the final order expired on December 5, 2002. I see no evidence of a clerical error. It appears to me that the final order is now binding on IDWR and the applicant. I recommend asking Skip to suggest filing another transfer application. Because the points of diversion shown on the transfer are not shared by all the water rights involved in the transfer, the applicant can remedy his error by filing a transfer application for Right 33-2094.

3/7/02 11:00 AM

I spoke with Skip at Glen's request. Skip will recommend filing another transfer application on the one right, 33-2094.

S. Keen

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FEB 11 2003

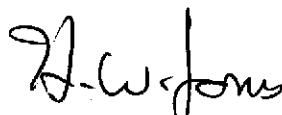
MEMO

TO: Norm Young
FROM: H. W. Jones
RE: Transfer #5839

On Feb. 11, 2000 Kent Foster submitted a transfer application for his client Pancheri Inc. . I reviewed Kent's work and found he had used an early version of a claim ,#33-2094B. I advised him that the claim had been changed to #33-2094 with no suffix. What I failed to notice was the new R-record had included a second point of diversion. The well in the NWNWSE Sec 19 T 6N R 29E was inadvertently left off the front page of the transfer application as one of the points of diversion for the 991 acre permissable place of use. This included six groundwater rights and four surface rights delivered through ditch and pipeline.

When the Adjudication staff reviewed the transfer application # 5839 they discovered the omission. I feel this was no more than a clerical error on my part and the client ~~should not be penalized by requiring~~ a second transfer just to add in this well site which now exists on the newly decreed right # 33-2094.

I would ask the Allocation Staff in Boise to amend this error and re-issue the transfer.


Harold W Jones

2-25-02

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FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5839

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Pancheri, Inc. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, Idaho 83405

A. PURPOSE OF TRANSFER

RECEIVED

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use FEB 11 2000
☐ Change nature of use ☐ Change period of use ☐ Other _____ Department of Water Resources
Eastern Region
2. Describe the reason for the proposed changes to reconfigure rights for more efficient irrigation by means of a pivot sprinkler system added to the irrigation system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
Little Lost River	33-00044	3/25/1885	1.4	Irrigation	04-01 to 11-01
	33-00045	4/01/1886	2.4	Irrigation	04-01 to 11-01
	33-00046	6/01/1891	1.3	Irrigation	04-01 to 11-01
	33-00047	5/25/1891	2.1	Irrigation	04-01 to 11-01
Groundwater	33-02068B	1/14/1953	2.64	Irrigation	04-01 to 11-01
	33-02056	1/18/1950	4.04	Irrigation	04-01 to 11-01
	33-02093	7/27/1960	2.41	Irrigation	04-01 to 11-01
	33-02126B	7/22/1966	4.04	Irrigation	04-01 to 11-01
	33-02094	9/11/1960	4.11	Irrigation	04-01 to 11-01
	33-07038	2/03/1975	3.06	Irrigation	04-01 to 11-01

2. Total amount of water being transferred 18.32 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Lost River tributary to sinks (for 33-00044, 33-00045, 33-00046 and 33-00047), all other groundwater
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NW	30	6N	29E	Butte	33-00044, 33-00045, 33-00046 and 33-00047
	SW	NW	NW	32	6N	29E	Butte	33-00044, 33-00045, 33-00046 and 33-00047
	NE	NW	NE	19	6N	29E	Butte	33-2126B
	SE	NE	NW	3	8N	27E	Butte	33-02068B
	NW	NW	SW	20	6N	29E	Butte	33-02056
	NW	NW	NW	32	6N	29E	Butte	33-02093
	NW	NW	NW	29	6N	29E	Butte	33-02094
	NW	NW	NW	29	6N	29E	Butte	33-07038

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5. Lands irrigated or place of use: Under 33-00044, 33-00045, 33-00046, 33-00047, 33-02126B, 33-02068B, 33-02056 and 33-02093

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	4						41.6	34										75.6
		5	37			11.7													48.7
6N	29E	29									14	32.7	4						50.7
		30											25.8			36	34		95.8
		31	28	39			12												79.0
		32			11		14.5	32		30.8					32	23.3	33.3	27.3	204.2
																			Total: 554
Under 33-02094B and 33-07038																			
5N	29E	5				22.3													22.3
6N	29E	29	33	39	39	33	39	38	25.7	39									285.7
		19													40	36	15	38	Total: 437

Total Acres 991* Permissible
Place of Use

6. General Information:

- Description of diversion system diversion and headgate structures in river to divert water into ditch system and wells and pumps to divert groundwater
- Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer: New land is irrigated under the additional pivot and an equal amount of land is no longer irrigated in various corners and inconvenient small fields
- Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2000.

MICROFILMED
FEB 11 2003

MICROFILMED
FEB 11 2004

MEMORANDUM

TO: FILE 33-02094
FROM: VAULT
RE: TRANSFER # 5839/68522
DATE: 12-5-2000

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 33-00044

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NOV 13 2001