

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68810

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>
33-36C	WR/Decreed	09/01/1879	1.20 cfs	N/A	60.0	191.0	LITTLE LOST RIVER
33-39A	WR/Decreed	09/01/1879	1.60 cfs	N/A	80.0	191.0	LITTLE LOST RIVER
33-40A	WR/Decreed	06/01/1891	1.60 cfs	N/A	80.0	191.0	LITTLE LOST RIVER
33-2108A	WR/Decreed	10/25/1961	1.60 cfs	381.5 af	109.0	191.0	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>
33-36C	NO	YES	YES	NO	NO	NO
33-39A	NO	YES	YES	NO	NO	NO
33-40A	NO	YES	YES	NO	NO	NO
33-2108A	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
33-36C	33-36C	1.20 cfs	N/A	60.0	191.0		N/A	N/A	N/A	N/A
33-39A	33-39A	1.60 cfs	N/A	80.0	191.0		N/A	N/A	N/A	N/A
33-40A	33-40A	1.60 cfs	N/A	80.0	191.0		N/A	N/A	N/A	N/A
33-2108A	33-2108A	1.60 cfs	381.5 af	109.0	191.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.40 cfs	N/A	191.0	191.0		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68810

Detailed Water Right Description(s) attached

Dated this 28th day of October, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-36C
As Modified by Transfer No. 68810

In accordance with the approval of Transfer No. 68810, Water Right No. 33-36C is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: September 01, 1879

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	11/01	1.20 CFS	
			1.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNW Sec. 10 Twp 05N 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	12													40.0	40.0	40.0	40.0	160.0
05N	29E	14															20.0	11.0	31.0

Total Acres: 191

CONDITIONS OF APPROVAL

1. Rights 33-36C, 33-39A, 33-40A and 33-2108A when combined shall not exceed a total diversion rate of 4.40 cfs and the irrigation of 191 acres.
2. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 33-36C
As Modified by Transfer No. 68810

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of October, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-39A
As Modified by Transfer No. 68810

In accordance with the approval of Transfer No. 68810, Water Right No. 33-39A is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: September 01, 1879

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 11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNW Sec. 10 Twp 05N 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 12													40.0	40.0	40.0	40.0	160.0
05N 29E 14															20.0	11.0	31.0

Total Acres: 191

CONDITIONS OF APPROVAL

1. Rights 33-36C, 33-39A, 33-40A and 33-2108A when combined shall not exceed a total diversion rate of 4.40 cfs and the irrigation of 191 acres.
2. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 33-39A
As Modified by Transfer No. 68810

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of October, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-40A
As Modified by Transfer No. 68810

In accordance with the approval of Transfer No. 68810, Water Right No. 33-40A 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 11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNW Sec. 10 Twp 05N 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 12													40.0	40.0	40.0	40.0	160.0
05N 29E 14															20.0	11.0	31.0

Total Acres: 191

CONDITIONS OF APPROVAL

1. Rights 33-36C, 33-39A, 33-40A and 33-2108A when combined shall not exceed a total diversion rate of 4.40 cfs and the irrigation of 191 acres.
2. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 33-40A
As Modified by Transfer No. 68810

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of October, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2108A
As Modified by Transfer No. 68810

In accordance with the approval of Transfer No. 68810, Water Right No. 33-2108A is now described as follows.

Right Holder: PANCHERI INC
 1494 HWY 22
 HOWE ID 83244

Priority Date: October 25, 1961

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	1.60 CFS	381.5 AF
			1.60 CFS	381.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER (Rediversion)	NWNW	Sec. 10 Twp 05N Rge 29E BUTTE County
GROUND WATER (Injection)	SESESE	Sec. 32 Twp 06N Rge 29E BUTTE County
GROUND WATER	NWSWNW	Sec. 33 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 29E 12													40.0	40.0	40.0	40.0	160.0
05N 29E 14															20.0	11.0	31.0

Total Acres: 191

CONDITIONS OF APPROVAL

1. Rights 33-36C, 33-39A, 33-40A and 33-2108A when combined shall not exceed a total diversion rate of 4.40 cfs and the irrigation of 191 acres.
2. This right is limited to the irrigation of 109 acres within the place of use described above in a single irrigation season.
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.
4. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 33-2108A
As Modified by Transfer No. 68810

CONDITIONS OF APPROVAL

5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under Transfer approval 68810, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, rediversion and injection, in accordance with Department specifications.
10. 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.
11. 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.
12. Point of injection into and point of rediversion from Little Lost River.

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 28th day of October, 2003



Chief, Water Allocation Bureau