STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85625

This is to certify that: PANCHERI INC
1494 HWY 33
HOWE, ID 83244

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 Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
33-2056	WR/DECREED	1/18/1950	2.740 cfs	623.0 af	178.0	1209.0	GROUND WATER
33-2068B	WR/DECREED	1/14/1953	2.640 cfs	476.0 af	136.0	1209.0	GROUND WATER
33-2093	WR/DECREED	7/27/1960	2.410 cfs	847.0 af	242.0	1209.0	GROUND WATER
33-2094	WR/DECREED	9/11/1960	4.110 cfs	1530.0 af	437.0	1209.0	GROUND WATER
33-2113	WR/DECREED	11/26/1962	2.520 cfs	N/A	160.0	1209.0	GROUND WATER
33-2126A	WR/DECREED	11/26/1962	1.960 cfs	N/A	218.0	1209.0	GROUND WATER
33-2126B	WR/DECREED	7/22/1966	4.040 cfs	962.5 af	275.0	1209.0	GROUND WATER
33-44	WR/DECREED	3/25/1885	1.400 cfs	245.0 af	70.0	1209.0	LITTLE LOST RIVER
33-45	WR/DECREED	4/1/1886	2.400 cfs	420.0 af	120.0	1209.0	LITTLE LOST RIVER
33-46	WR/DECREED	6/1/1891	1.300 cfs	227.5 af	65.0	1209.0	LITTLE LOST RIVER
33-47	WR/DECREED	5/25/1891	2.100 cfs	367.5 af	105.0	1209.0	LITTLE LOST RIVER
33-7038	WR/DECREED	2/3/1975	3.060 cfs	459.0 af	153.0	1209.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
33-2056	NO	NO	YES	NO	NO	NO
33-2068B	NO	NO	YES	YES	NO	NO
33-2093	NO	NO	YES	NO	NO	NO
33-2094	NO	NO	YES	NO	NO	NO
33-2113	NO	NO	YES	NO	NO	NO
33-2126A	NO	NO	YES	NO	NO	NO
33-2126B	NO	NO	YES	NO	NO	NO
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
33-7038	NO	NO	YES	NO	NO	NO

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MAR 16 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85625

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
33-2056	33-2056	2.740 cfs	623.0 af	178.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2068B	33-2068B	2.640 cfs	476.0 af	136.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2093	33-2093	2.410 cfs	847.0 af	242.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2094	33-2094	4.110 cfs	1530.0 af	437.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2113	33-2113	2.520 cfs	N/A	160.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2126A	33-2126A	1.960 cfs	N/A	218.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-2126B	33-2126B	4.040 cfs	962.5 af	275.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-44	33-44	1.400 cfs	245.0 af	70.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-45	33-45	2.400 cfs	420.0 af	120.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-46	33-46	1.300 cfs	227.5 af	65.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-47	33-47	2.100 cfs	367.5 af	105.0	1209.0	N/A	N/A	N/A	N/A	N/A
33-7038	33-7038	3.060 cfs	459.0 af	153.0	1209.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**22.800 cfs**	**4231.5 af**	**1209.0**	**1209.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) 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. Detailed Water Right Description(s) attached.

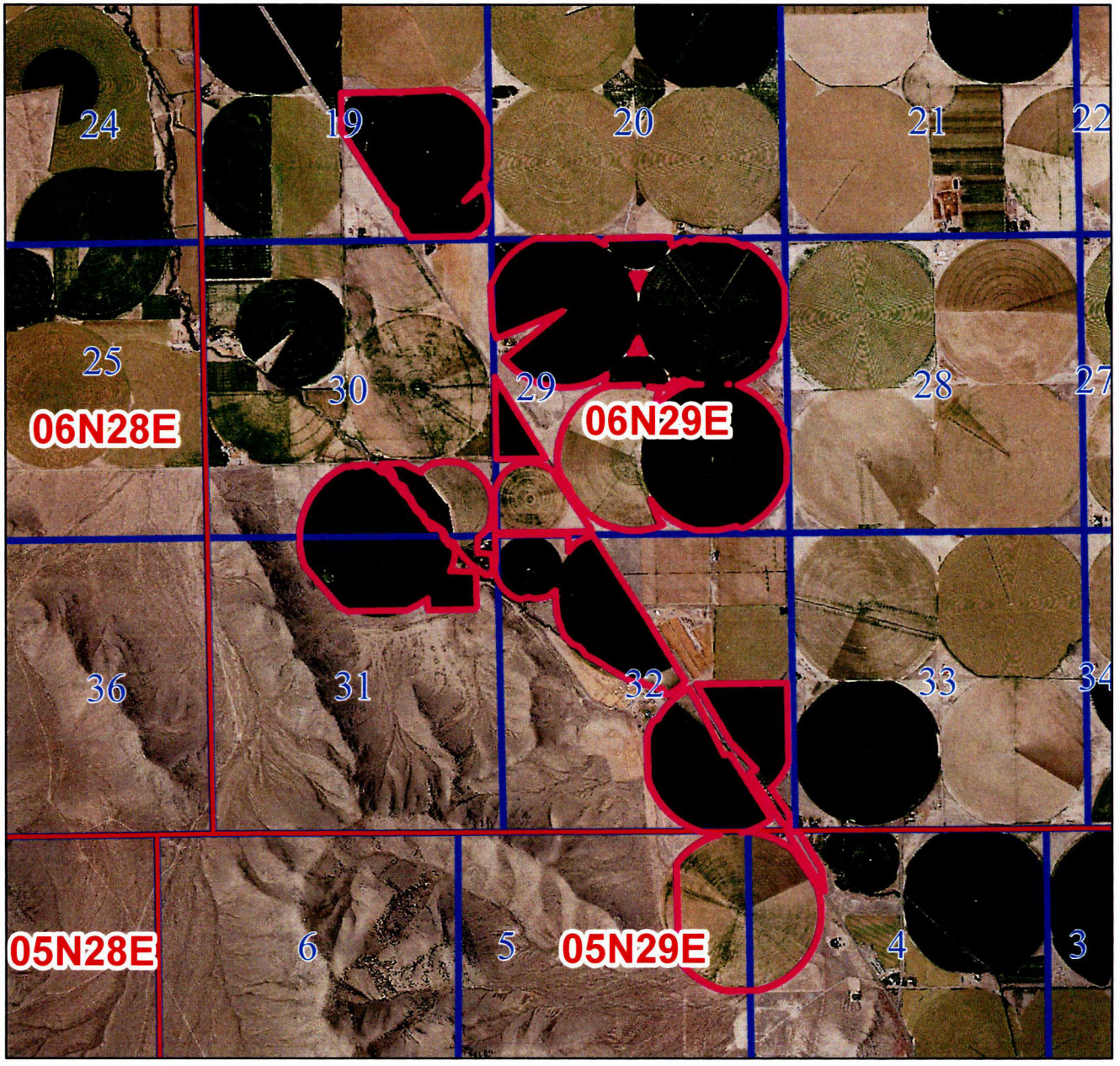
Dated this 17th day of March, 2023.

Regional Manager

SCANNED
MAR 16 2023

Attachment to Transfer Approval 85625

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POU
- Township/Range
- Sections

0 0.25 0.5 1 Miles

N
W E
S

SCANNED
MAR 16 2023

Date: 3/17/2023

WATER RIGHT NO. 33-44

As Modified by Transfer No. 85625

In accordance with the approval of Transfer No. 85625, Water Right No. 33-44 is now described as follows:

Right Holder: PANCHERI INC
1494 HWY 33
HOWE, ID 83244

Priority Date: 3/25/1885

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

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	1.400 cfs	245.0 af
				1.400 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	L2 (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

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	29E	4						37.0	29.0										66.0
								L 4											
05N	29E	5	42.0			36.0													78.0
			L 1																
06N	29E	19													36.0	37.0	15.0	35.0	123.0
06N	29E	29	32.0	38.0	39.0	33.0	39.0	35.0	27.0	39.0	36.0	17.0	34.0	35.0	33.0	38.0	36.0	31.0	542.0
06N	29E	30												19.0			36.0	34.0	89.0
06N	29E	31	28.0	39.0			19.0												86.0
06N	29E	32			10.0		24.0	34.0	2.0	32.0					33.0	29.0	34.0	27.0	225.0

Right Acre Limit: 70.0
POU Total Acres: 1209.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

2. 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.

3. Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed a total diversion rate of 22.8 cfs and the irrigation of 1,209 acres.

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MAR 16 2023

WATER RIGHT NO. 33-44

As Modified by Transfer No. 85625

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 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(s).

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. This right does not grant any right-of-way or easement across the land of another.

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

10. 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.

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MAR 16 2023

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part	See the attached Supplemental Page				
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 22.8 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.64 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

Not within ESPA Model Boundary

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

All PODs will remain the same on the individual rights except for 33-2068B. All diversions listed on the supplemental page apply to 33-2068B only.

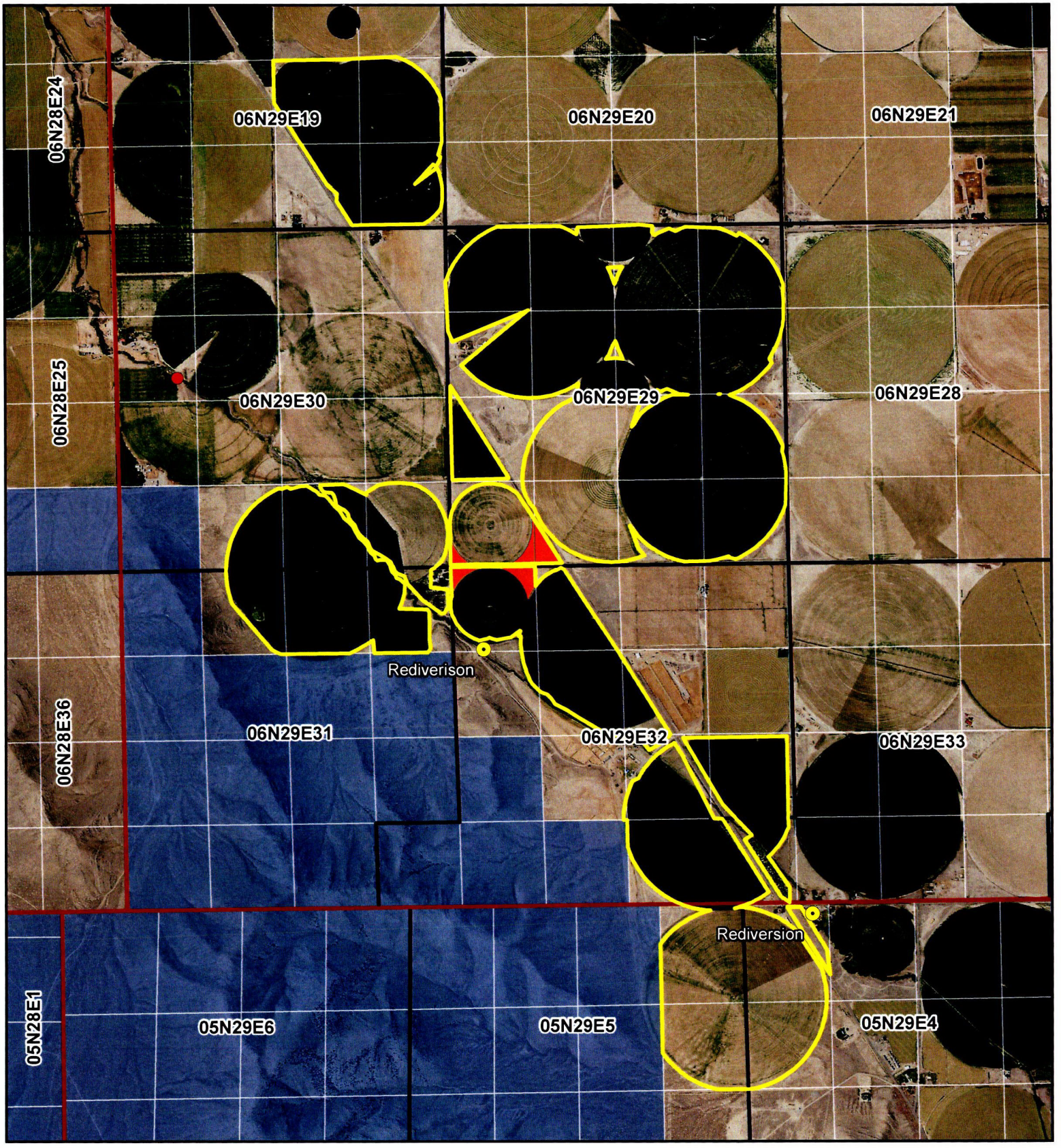
SEE SUPPLEMENT PAGE FOR ADDITIONAL PODS

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	4						37	29										66
		5	42			36													78
6N	29E	19													36	37	15	35	123
		29	32	38	39	33	39	35	27	39	36	17	34	35	33	38	36	31	542
		30												19			36	34	89
		31	28	39			19												86
		32			10		24	34	2	32					33	29	34	27	225
																			Total Acres (for irrigation use) 1209

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MAR 16 2023



- Proposed New POD for 33-2068B
- WR POD 33-2068B
- Proposed POU
- Reconfigured Acres - New Location
- Twp & Rng
- Section
- QQ
- BLM

N W E S

Attachment #7a: Proposed POU

Reconfiguration of 11 acres

Pancheri Inc.

RMEA #13-0020	
by: KM	
Date: 2/27/2023	

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

SCANNED MAR 16 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85625

MINIMUM REQUIREMENTS CHECKLIST AMENDED

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

RECEIVED

Name of Applicant(s) Pancheri, Inc.

JUL 26 2022

Department of Water Resour
Eastern Region

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

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

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

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

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JAN 27 2023

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Department of Water Resources
Eastern Region

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Pancheri, Inc. Phone 208-339-1293

Mailing address 1494 Hwy 33, Howe, Idaho 83244 Email rpancheri@gmail.com

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No Representative

Name of Representative Rocky Mountain Environmental Assoc. Inc Phone 208-524-2353

Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Rod Pancheri	Rod Pancheri Partner	7-20-22

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☑ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   This transfer is an amendment to the original Transfer Application No. 85625 and proposes to reconfigure the place of use to remove the water right from BLM lands and reduce the diversion rate proposed to be used at the new points of diversion. Only right 33-2068B will be diverted from the proposed points of diversion.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☐	See the attached Supplemental Page			to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 22.8 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.64 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

Not within ESPA Model Boundary

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

All PODs will remain the same on the individual rights except for 33-2068B. All diversions listed on the supplemental page apply to 33-2068B only.

SEE SUPPLEMENT PAGE FOR ADDITIONAL PODS

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	4						37	29										66
		5	42			36													78
6N	29E	19													36	37	15	35	123
		29	32	38	39	33	39	35	27	39	36	28	31	32	33	38	36	31	547
		30												19			36	34	89
		31	28	39			19												86
		32			10		24	29	2	32					33	29	34	27	220
																		Total Acres (for irrigation use)	1209

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JAN 27 2023

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
☒ ☐	33-44	1.4 cfs	Irrigation	4/01	to	10/31	Big Lost River
☒ ☐	33-45	2.4 cfs	Irrigation	4/01	to	10/31	Big Lost River
☒ ☐	33-46	1.3 cfs	Irrigation	4/01	to	10/31	Big Lost River
☒ ☐	33-47	2.1 cfs	Irrigation	4/01	to	10/31	Big Lost River
☒ ☐	33-2056	2.74 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-2068B	2.64 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-2093	2.41 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-2126B	4.04 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-2094	4.11 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-7038	3.06 cfs	Irrigation	4/01	to	11/01	Ground Water
☒ ☐	33-2113	2.52 cfs	Irrigation	4/01	to	10/31	Ground Water
☒ ☐	33-2126A	1.96 cfs	Irrigation	4/01	to	11/01	Ground Water
☐ ☐					to		
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Total authorized under rights 22.8 **cfs and/or** _____ **ac-ft**

**Insert this page into Part 1B of the Application for Transfer of a Water Right.

SCANNED
JAN 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD): **PODs for 33-2068B Only**

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes	6N	29E	30	2	SE	SW	NW	Butte	Ground Water	Ex. Rediversion
☐ Yes	8N	27E	3		SE	NE	NW	Butte	Ground Water	Ex. Diversion
☐ Yes	8N	27E	3		NW	SE	NW	Butte	Ground Water	Ex. Injection
☐ Yes										
☐ Yes	7N	27E	12			NW	NE	Butte	Ground Water	Proposed Well
☐ Yes	7N	27E	12			NE	NW	Butte	Ground Water	Proposed Well
☐ Yes	7N	27E	12		SE	NW	NW	Butte	Ground Water	Proposed Injection
☐ Yes	6N	29E	32		SW	NW	NW	Butte	Ground Water	Prop. Rediversion
☐ Yes	5N	29E	4	4	NE	NW	NW	Butte	Ground Water	Prop. Rediversion
☐ Yes										

Description of place of use (POU):

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application. Page _____

SCANNED
JAN 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
The proposed PODs are already connected to a common system used by applicant. Water can be injected into the Little Lost River and rediverted through existing diversions downstream used to deliver applicant's surface water. Existing measuring devices at diversions are monitored by local water master.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

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

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

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The land now irrigated will be retired from irrigation from ground water under these rights.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Existing PODs shared by 33-2068A, 33-10997, 33-14944. Proposed PODs (Wells) shared by: 33-2057, 33-2083, 33-2086, 33-2091, 33-7018, 33-15080, 33-15078, 33-15079. POU: partially overlapped by Blaine County Canal Co.

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

Yes No

- ☐ ☑ undergone a period of five or more consecutive years of non-use,
- ☐ ☑ currently leased to the Water Supply Bank,
- ☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
- ☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-44

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 03/25/1885

Basis: Decreed

Status: Active

Source	Tributary
LITTLE LOST RIVER	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.4 CFS	245 AFA
Total Diversion			1.4 CFS	245 AFA

Location of Point(s) of Diversion:

LITTLE LOST RIVER	NENWNW Lt 4	Sec. 04	Township 05N	Range 29E	BUTTE County
LITTLE LOST RIVER	SESWNW Lt 2	Sec. 30	Township 06N	Range 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 70

Place(s) of use:

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JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R05	Use of water under this right may 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.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

SCANNED
JAN 27 2023

9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/20/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 554

Combined Volume Limit:

Combined Rate Limit: 11.15

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-45

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 04/01/1886

Basis: Decreed

Status: Active

Source	Tributary
LITTLE LOST RIVER	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.4 CFS	420 AFA
Total Diversion			2.4 CFS	420 AFA

Location of Point(s) of Diversion:

LITTLE LOST RIVER	NENWNW Lt 4	Sec. 04	Township 05N	Range 29E	BUTTE County
LITTLE LOST RIVER	SESWNW Lt 2	Sec. 30	Township 06N	Range 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 120

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R05	Use of water under this right may 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.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

SCANNED
JAN 27 2023

9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/01/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 554

Combined Volume Limit:

Combined Rate Limit: 11.15

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-46

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

Source	Tributary
LITTLE LOST RIVER	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.3 CFS	227.5 AFA
Total Diversion			1.3 CFS	227.5 AFA

Location of Point(s) of Diversion:

LITTLE LOST RIVER	NENWNW Lt 4	Sec. 04	Township 05N	Range 29E	BUTTE County
LITTLE LOST RIVER	SESWNW Lt 2	Sec. 30	Township 06N	Range 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 65

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R05	Use of water under this right may 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.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

SCANNED
JAN 27 2023

9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/01/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 554

Combined Volume Limit:

Combined Rate Limit: 11.15

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-47

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 05/25/1891

Basis: Decreed

Status: Active

Source	Tributary
LITTLE LOST RIVER	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.1 CFS	367.5 AFA
Total Diversion			2.1 CFS	367.5 AFA

Location of Point(s) of Diversion:

LITTLE LOST RIVER	NENWNW Lt 4	Sec. 04	Township 05N	Range 29E	BUTTE County
LITTLE LOST RIVER	SESWNW Lt 2	Sec. 30	Township 06N	Range 29E	BUTTE County
LITTLE LOST RIVER	SWNWNW	Sec. 32	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 105

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R05	Use of water under this right may 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.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

SCANNED
JAN 27 2023

9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/01/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 554

Combined Volume Limit:

Combined Rate Limit: 11.15

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

10/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2056

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 01/18/1950

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.74 CFS	623 AFA
Total Diversion			2.74 CFS	623 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWNWSW | Sec. 20 | Township 06N | Range 29E | BUTTE County

IRRIGATION Use:

Acre Limit: 178

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres

SCANNED
JAN 27 2023

05N	29E	4		NWNW	37		SWNW	29							
		5		NENE	42		NWNE	5		SWNE	4		SENE	36	
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35	
		29		NENE	32		NWNE	38		SWNE	39		SENE	33	
				NENW	39		NWNW	35		SWNW	27		SENW	39	
				NESW	36		NWSW	17		SWSW	31		SESW	32	
				NESE	33		NWSE	38		SWSE	36		SESE	31	
		30		SESW	19										
				SWSE	36		SESE	34							
		31		NENE	28		NWNE	39		SWNE	2				
				NENW	19										
		32		SWNE	10										
				NENW	24		NWNW	29		SWNW	2		SENW	32	
				NESE	33		NWSE	29		SWSE	34		SESE	27	

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 178 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
3.	X35	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.
4.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
5.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6.	01P	Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

10/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2068B

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 01/14/1953

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.64 CFS	476 AFA
Total Diversion			2.64 CFS	476 AFA

Location of Point(s) of Diversion:

GROUND WATER	SESWNW Lt 2	Sec. 30	Township 06N	Range 29E	BUTTE County
GROUND WATER	SENENW	Sec. 03	Township 08N	Range 27E	BUTTE County
GROUND WATER	NWSENW	Sec. 03	Township 08N	Range 27E	BUTTE County

IRRIGATION Use:

Acre Limit: 136

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 136 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
3.	X35	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.
4.	X35	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.
5.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed a total diversion rate of 22.8 cfs and the irrigation of 1209 acres.
6.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
7.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9.	01P	Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

SCANNED
JAN 27 2023

10.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
12.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/20/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 282

Combined Volume Limit: 987

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

10/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2093

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 07/27/1960

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.41 CFS	847 AFA
Total Diversion			2.41 CFS	847 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWNWNW | Sec. 32 | Township 06N | Range 29E | BUTTE County

IRRIGATION Use:

Acre Limit: 242

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres

SCANNED
JAN 27 2023

05N	29E	4		NWNW	37		SWNW	29							
		5		NENE	42		NWNE	5		SWNE	4		SENE	36	
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35	
		29		NENE	32		NWNE	38		SWNE	39		SENE	33	
				NENW	39		NWNW	35		SWNW	27		SENW	39	
				NESW	36		NWSW	17		SWSW	31		SESW	32	
				NESE	33		NWSE	38		SWSE	36		SESE	31	
		30		SESW	19										
				SWSE	36		SESE	34							
		31		NENE	28		NWNE	39		SWNE	2				
				NENW	19										
		32		SWNE	10										
				NENW	24		NWNW	29		SWNW	2		SENW	32	
				NESE	33		NWSE	29		SWSE	34		SESE	27	

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	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.	X35	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.
5.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed a total diversion rate of 22.8 cfs and the irrigation of 1209 acres.
6.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
7.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9.	01P	Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
10.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

SCANNED
JAN 27 2023

12.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/20/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 33

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 282

Combined Volume Limit: 987

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2126B

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 07/22/1966

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	4.04 CFS	962.5 AFA
Total Diversion			4.04 CFS	962.5 AFA

Location of Point(s) of Diversion:

GROUND WATER	NENWNE	Sec. 19	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 275

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

SCANNED
JAN 27 2023

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-2056, 33-2068B, 33-2093 and 33-2126B when combined shall not exceed a total annual diversion volume of 1950.2 af.
3.	X35	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.
4.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
5.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
9.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2094

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 09/11/1960

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	4.11 CFS	1530 AFA
Total Diversion			4.11 CFS	1530 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19	Township 06N	Range 29E	BUTTE County
GROUND WATER	NWNWNW	Sec. 29	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 437

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 437 acres within the place of use described above in a single irrigation season.
2.	X35	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.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-7038

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620

Priority Date: 02/03/1975

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	3.06 CFS	459 AFA
Total Diversion			3.06 CFS	459 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 29	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 153

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

SCANNED
JAN 27 2023

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 153 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-7038 and 33-2094 when combined shall not exceed a total annual maximum diversion volume of 1530 af, and the irrigation of 437 acres.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

10/19/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2113

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	ANDREW D LITTLE HOWE, ID 83244

Priority Date: 11/26/1962

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	2.52 CFS	
Total Diversion			2.52 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 29	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-2113 and 33-2126A when combined shall not exceed a total diversion rate of 4.48 cfs, a total annual maximum diversion volume of 736 af at the field headgate, and the irrigation of 218 acres.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

SCANNED
JAN 27 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

7/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 33-2126A

Owner Type	Name and Address
Current Owner	PANCHERI INC 1494 HWY 33 HOWE, ID 83244 2087673419
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	ANDREW D LITTLE HOWE, ID 83244

Priority Date: 11/26/1962

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.96 CFS	
Total Diversion			1.96 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENWNE	Sec. 19	Township 06N	Range 29E	BUTTE County

IRRIGATION Use:

Acre Limit: 218

Place(s) of use:

SCANNED
JAN 27 2023

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	29E	4		NWNW	37		SWNW	29						
		5		NENE	42		NWNE	5		SWNE	4		SENE	36
06N		19		NESE	36		NWSE	37		SWSE	15		SESE	35
		29		NENE	32		NWNE	38		SWNE	39		SENE	33
				NENW	39		NWNW	35		SWNW	27		SENW	39
				NESW	36		NWSW	17		SWSW	31		SESW	32
				NESE	33		NWSE	38		SWSE	36		SESE	31
		30		SESW	19									
				SWSE	36		SESE	34						
		31		NENE	28		NWNE	39		SWNE	2			
				NENW	19									
		32		SWNE	10									
				NENW	24		NWNW	29		SWNW	2		SENW	32
				NESE	33		NWSE	29		SWSE	34		SESE	27

Total Acres: 1209

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 218 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 33-2113 and 33-2126A when combined shall not exceed a total diversion rate of 4.48 cfs, a total annual maximum diversion volume of 736 af, and the irrigation of 218 acres.
3.	X35	Rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 when combined shall not exceed the irrigation of 1209 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

SCANNED
JAN 27 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

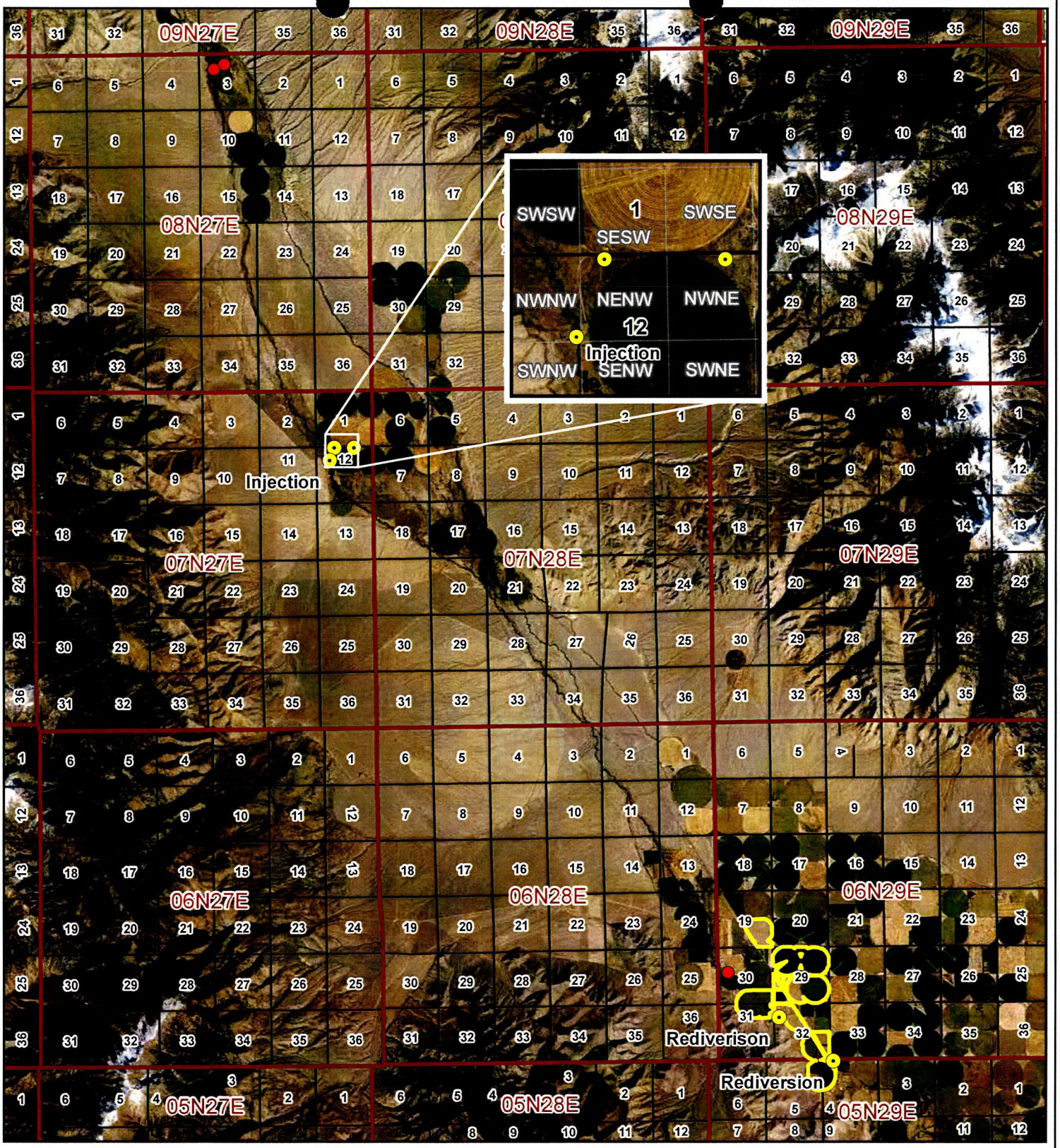
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Receipted by _____ Receipt # _____

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

SCANNED
JAN 27 2023



WR POD 33-2068B

Proposed New POD for 33-2068B

Proposed POU

Twp & Rng

Section

N

W E

S

Attachment #7a: Proposed PODs

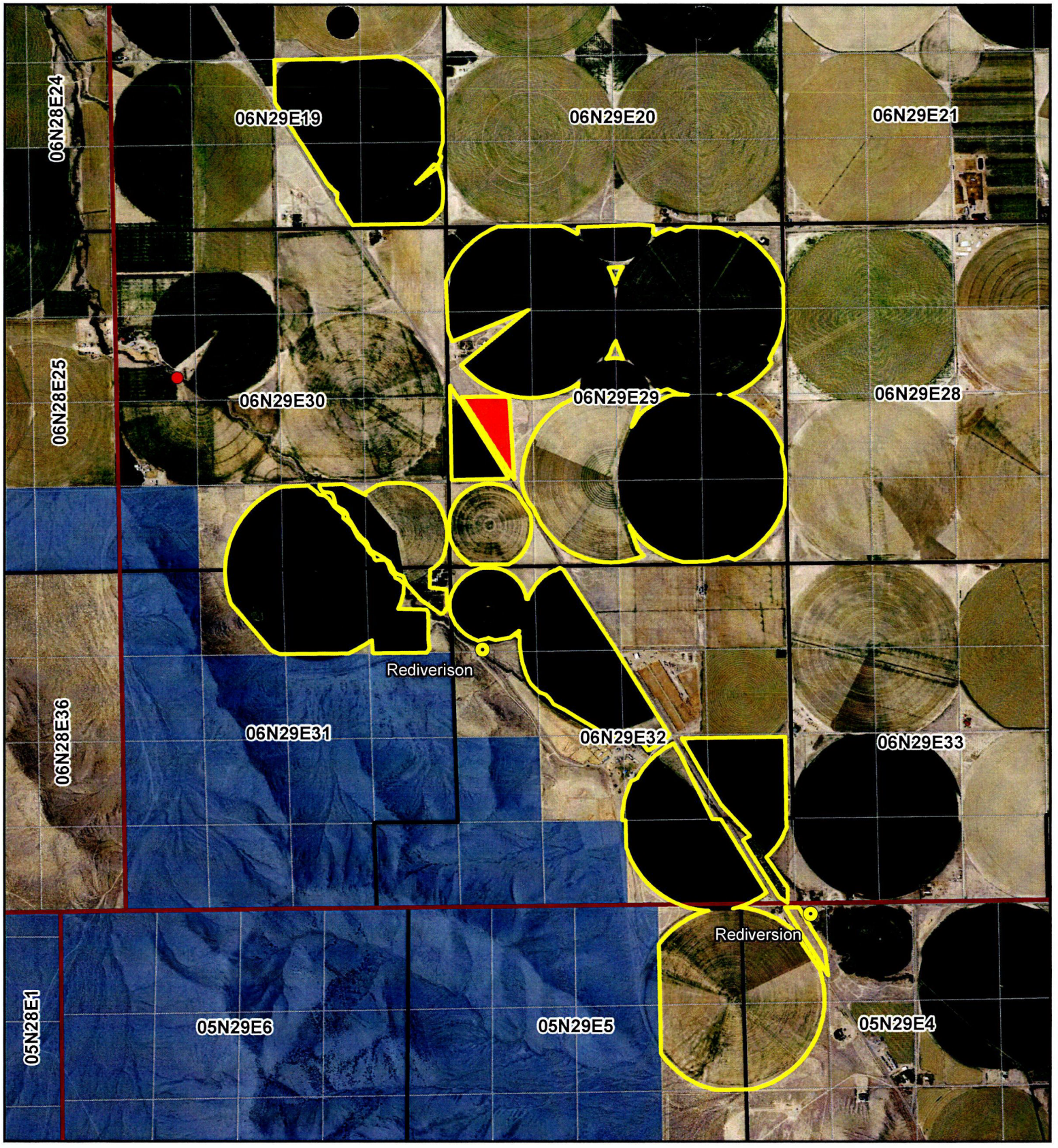
Proposed Diversions for 33-2068B Only

Pancheri Inc.

RMEA #13-0020	
by: KM	
Date: 7/18/2022	

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

SCANNED
JAN 27 2023



WR POD 33-2068B

Proposed New POD for 33-2068B

Proposed POU

Reconfigured Acres - New Location

Twp & Rng

Section

QQ

BLM

N

W E

S

Attachment #7a: Proposed POU

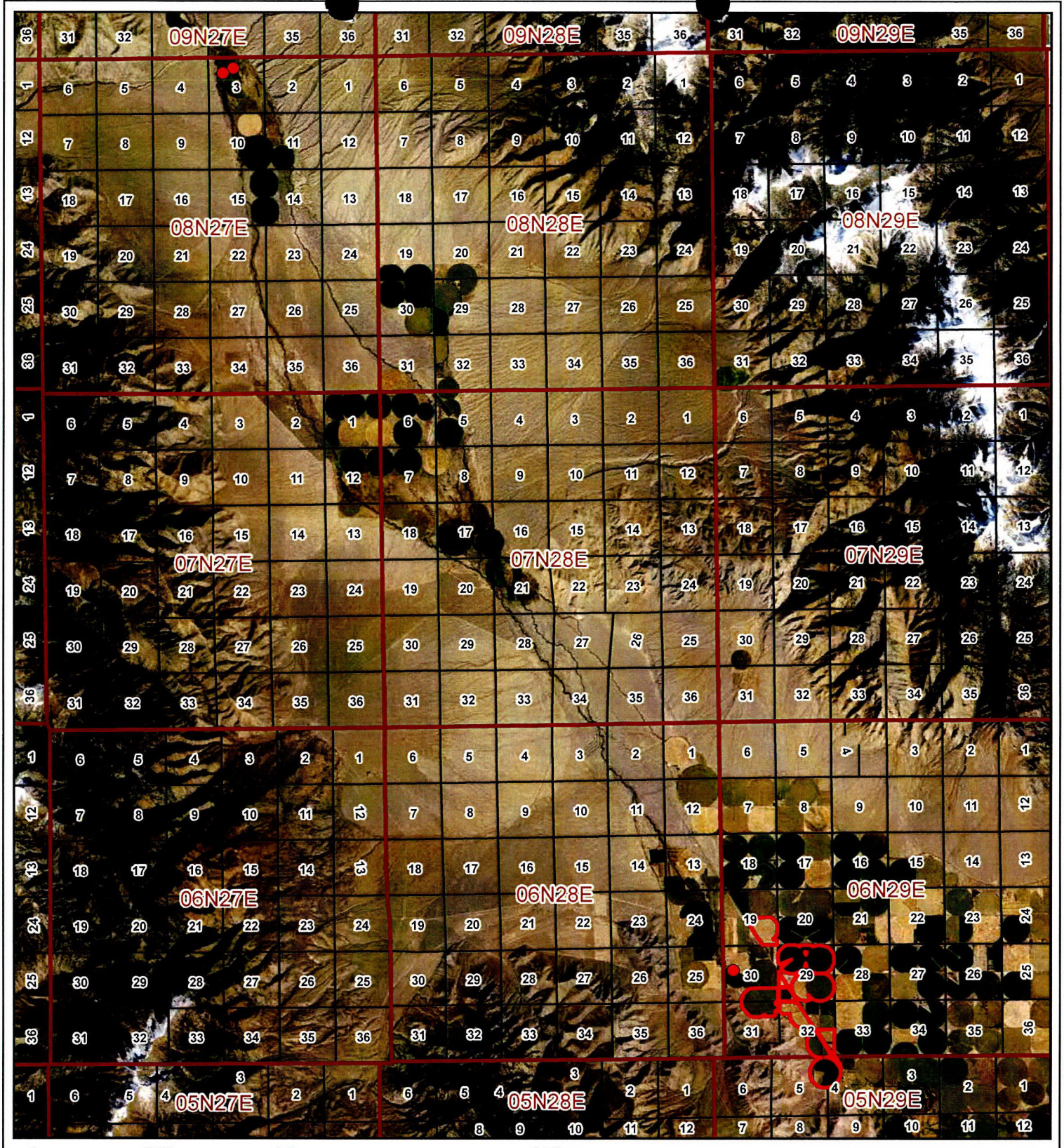
Reconfiguration of 11 acres

Pancheri Inc.

RMEA #13-0020	
by: KM	
Date: 7/21/2022	

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

SCANNED JAN 27 2023



WR POD 33-2068B

Existing POU

Reconfigured Acres - Removed

Twp & Rng

Section

N

W E

S

Attachment #7b: Existing PODs

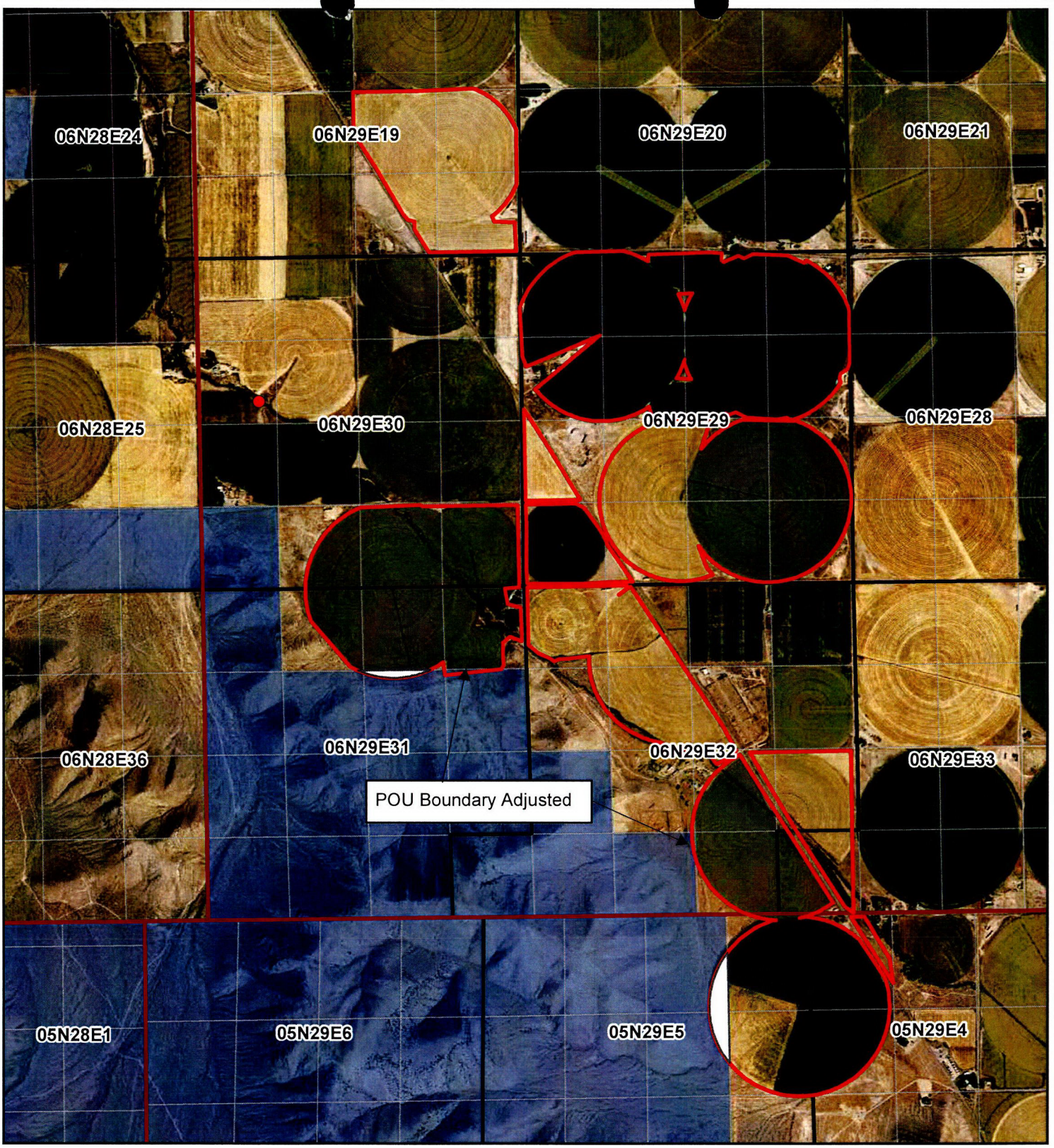
Existing PODs for 33-2068B Only

Pancheri Inc.

RMEA #13-0020	
by: KM	
Date: 7/18/2022	

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

SCANNED
JAN 27 2023



WR POD 33-2068B

Reconfigured Acres - Removed

Existing POU

Twp & Rng

Section

QQ

BLM

N

W E

S

Attachment #7b: Existing POU

Reconfiguration of 11 acres

Pancheri Inc.

RMEA #13-0020	
by: KM	
Date: 7/18/2022	

Rocky Mountain Environmental Associates, Inc.

RECEIVED
JAN 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

March 17, 2023

PANCHERI INC
1494 HWY 33
HOWE ID 83244

Re: Transfer No: 85625
Water Right No(s).: 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B , 33-2093, 33-2094, 33-2113, 33-2126A , 33-2126B , 33-7038

Transfer Approval Notice

Dear Water Right Holder:

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.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
MAR 16 2023

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) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

HAWLEY LAND AND LIVESTOCK
3895 N LITTLE LOST HWY
HOWE ID 83244

USDI BLM IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SCANNED
MAR 16 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85625
Water Right No(s).: 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B , 33-2093, 33-2094, 33-2113, 33-2126A , 33-2126B , 33-7038

PANCHERI INC
1494 HWY 33
HOWE ID 83244

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

HAWLEY LAND AND LIVESTOCK
3895 N LITTLE LOST HWY
HOWE ID 83244

USDI BLM IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

Christina Henman
Administrative Assistant

SCANNED
MAR 16 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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.

SCANNED
MAR 16 2023

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).

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 service date 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.

SCANNED
MAR 16 2023

MEMORANDUM

Date: March 14, 2023

To: Transfer 85625

From: James Cefalo

Re: Review & Evaluation of Sufficiency of Information

Pancheri Inc. filed Application 85625 in December 2021. Originally, the transfer proposed to add two points of diversion to four ground water rights. The proposed points of diversion were located over ten miles north of most of the existing points of diversion. The one exception was the existing point of diversion for water right 33-2068B, which was located even farther north than the proposd additional points of diversion. The original application was protested by Vance Hawley, Hawley Land & Livestock and BLM. Based on the discussions during an informal settlement conference, Pancheri filed Amended Application 85625 in July 2022. The amended application proposed to rearrange the 1,209-acre combined irrigation place of use for twelve water rights and to add points of diversion to ground water right 33-2068B (as described in the original application). The amendment resolved the concerns raised by Hawley Land & Livestock and Vance Hawley. Pancheri filed two additional amendments, making slight adjustments to the proposed place of use to resolve the protest filed by BLM. BLM withdrew its protest on March 14, 2023.

Authority to File: Pancheri Inc. is the current owner of record for all rights included in the application and owns the property at the existing and proposed places of use. Original application and amendments were signed or confirmed by Rod Pancheri, partner for Pancheri Inc.

Water Right Validity: The SRBA Court issued partial decrees for the subject water rights in 2000 and 2002. Aerial imagery confirms consistent irrigation. Forfeiture is not an issue.

Injury to Other Water Rights: No issue identified. The transfer adds points of diversion to water right 33-2068B. The added points of diversion are located approximately 6 miles downstream of the existing point of diversion for water right 33-2068B. The proposed points of diversion are existing wells owned by Pancheri. After a lengthy discussion with the protestants, we determined that the proposed change to water right 33-2068B will not injure existing water rights. Pancheri owns the other wells in the vicinity of the added points of diversion. Further, both the existing and added points of diversion draw water from the aquifer upstream of a spring complex (gaining section) of the Little Lost River.

Enlargement of Use: No issues identified. Combined limits will be carried forward on water rights.

Local Public interest / Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
MAR 16 2023

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

In Reply Refer To:
7250 (933b)
Application Transfer No. 85625

RECEIVED
MAR 14 2023
Department of Water Resources
Eastern Region

March 14, 2023

James Cefalo, Regional Manager
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83704-1718

RE: Withdrawal of BLM Protest:
Application for Transfer No. 85625 f/b Pancheri, Inc.

Dear Mr. Cefalo:

By this letter, I state that I have the authority to act on behalf of the United States Department of the Interior, Bureau of Land Management (BLM), with myself as its agent, to the matters discussed herein.

On December 6, 2021, Pancheri, Inc. ("Applicant") filed Amended Application for Transfer No. 85625 to add Points of Diversion ("POD"), Points of Injection, Points of Rediversion, and to create a permissible place of use for irrigation purposes. The BLM protested the application because the Place of Use ("POU") element described federal land managed by BLM where irrigated agricultural use of federal land is not authorized.

On July 26, 2022, the Applicant amended the application to include additional water rights and to remove BLM lands from the permissible place of use.

On February 27, 2023, IDWR produced a draft transfer approval that removes federal land from the permissible place of use description. The February 27, 2023 draft transfer approval resolves BLM's protest; therefore, I hereby withdraw BLM's protest, provided that there are no subsequent amendments made without notice to the BLM, and the BLM has the opportunity to protest subsequent amendments.

The BLM's expectation in withdrawing its protest is that any Approved Transfer issued by IDWR will be based upon the application existing at the time of this protest withdrawal. The BLM requests that it receives notice of any subsequent amendments by the Applicant and of any Approved Transfer issued by IDWR.

//

SCANNED
MAR 16 2023

If there are questions regarding any statements above, please do not hesitate to contact me at (208) 373-3831, or write to the address in our letterhead.

Sincerely,

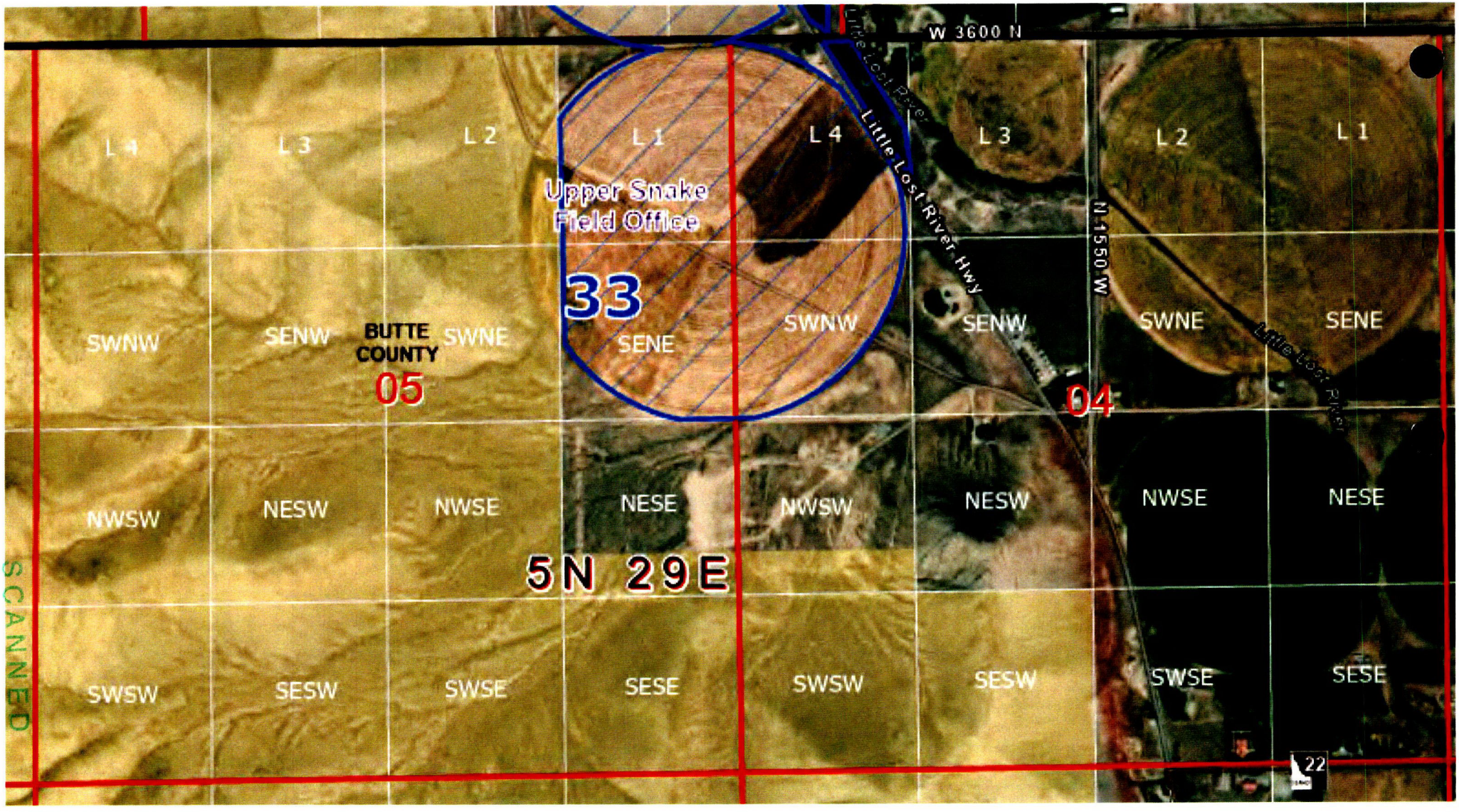
Fredric W. Price
Water Rights Specialist

cc:
Pancheri, Inc., 1494 Hwy 33, Howe, Idaho 83244, rpancheri@gmail.com
Kristin Moore, Rocky Mountain Environmental Assoc., Inc., 482 Constitution Way, Ste. 303, Idaho Falls, Idaho 83402, Kristin.rmea@gmail.com
Deena Teel, Assistant Field Manager, BLM, Upper Snake Field Office, 1405 Hollipark Drive, Idaho Falls, Idaho 83401, dteel@blm.gov
Rebecca Lazdauskas, Realty Specialist, BLM, Upper Snake Field Office, 1405 Hollipark Drive, Idaho Falls, Idaho 83401, rlazdauskas@blm.gov

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MAR 16 2023

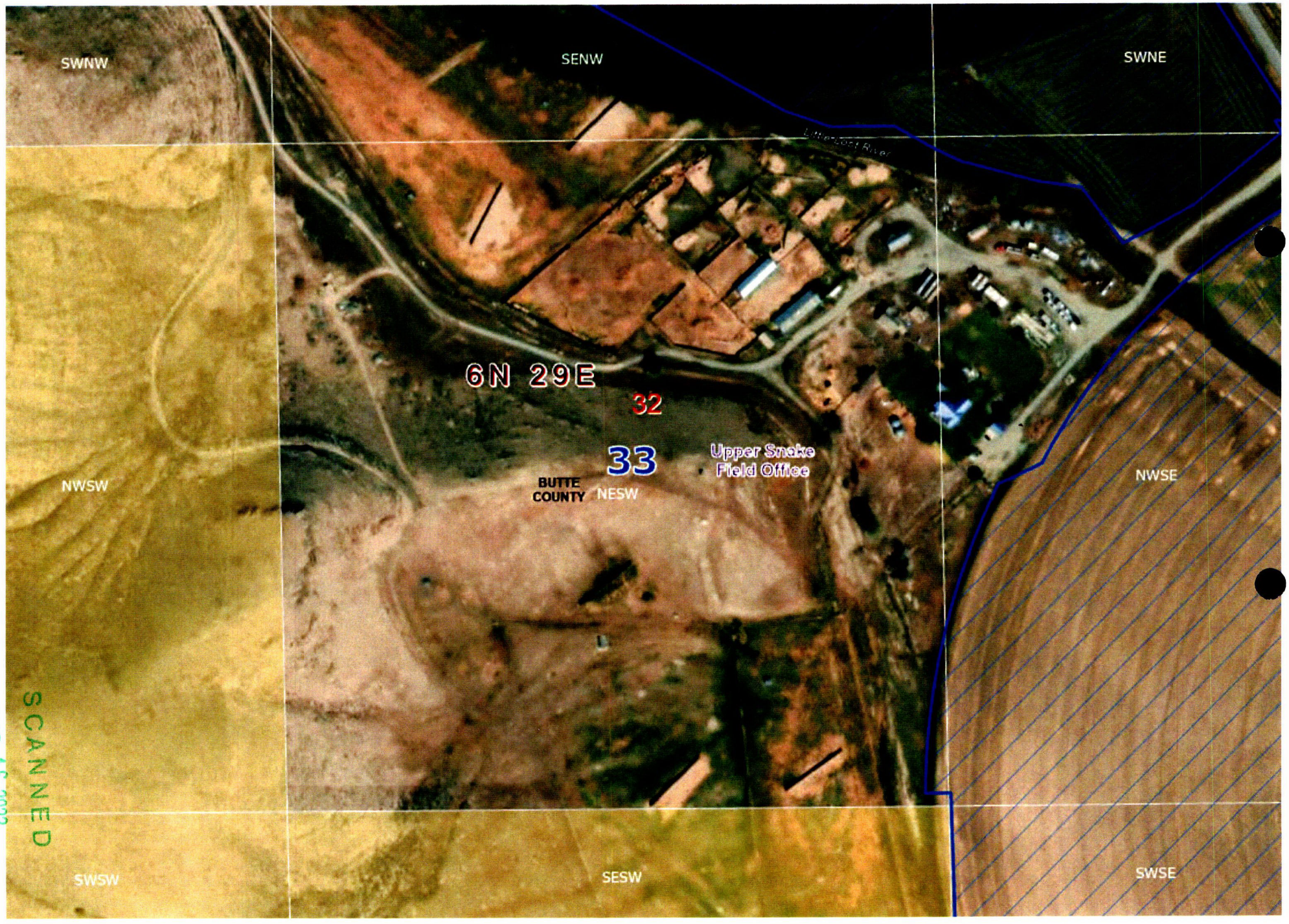
ransfer 85625, Pancheri Inc:
)raft Transfer Approval (02/27/2023)

lace of Use (POU) listed as:
T05N, R29E, S04, NWNW is actually Lot 4 (NWNW)
T05N, R29E, S05, NENE is actually Lot 1 (NENE)



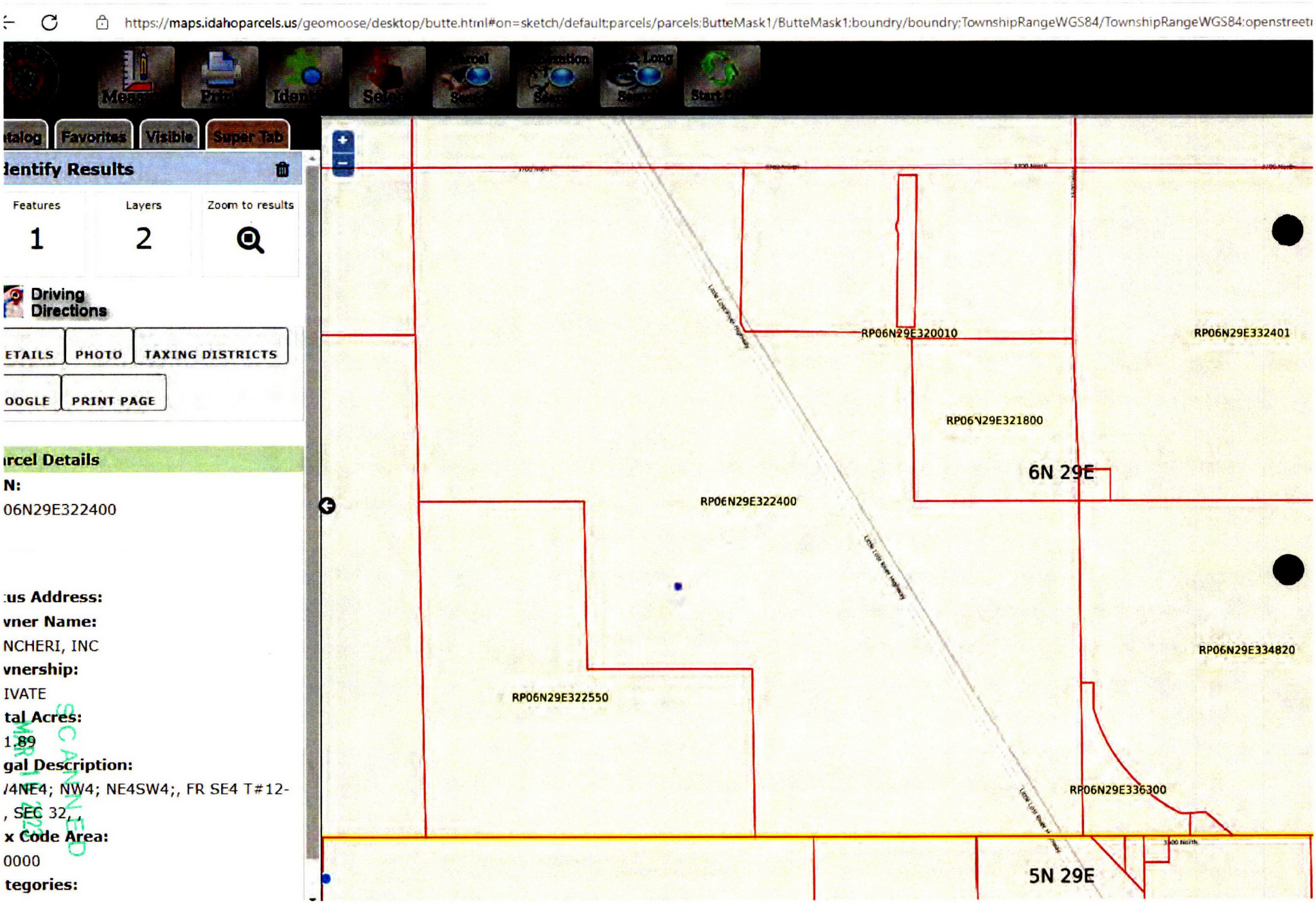
ransfer 85625, Pancheri Inc: Draft Transfer Approval (02/27/2023)

he shapefile includes T06N, R29E, S33, NESW; however, the draft approval does not include this QQ as a POU.



SCANNED
MAR 16 2023

Butte County Assessor's Office:
T06N, R29E, S32, NESW owned by Pancheri Inc.



Cefalo, James

From: Cefalo, James
Sent: Monday, February 27, 2023 4:24 PM
To: 'Kristin Moore'; rpancheri@gmail.com; fwprice@blm.gov
Subject: RE: amended Transfer 85625 - Pancheri
Attachments: Draft Transfer 85625.pdf; Draft Transfer 85625 Map.pdf

Dear Parties:

Attached is a revised draft transfer approval and map, reflecting the changes in the amended application prepared by Kristin and emailed earlier today. Although the amendment was not signed by the applicant, the inclusion of Rod Pancheri on Kristin's email is evidence that he supports the minor revision to the proposed place of use. Please review the draft approval and let me know if you find any errors or have any concerns.

I hope the amendment and the draft approval create a path for resolution of this contested case. Let me know if there is anything else I can provide. We are currently scheduled to hold another informal settlement conference on March 14th. If the protest is withdrawn before then, I will cancel the conference. Otherwise, we can discuss any remaining issues at the conference.

James

IDAHO DEPARTMENT OF WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Monday, February 27, 2023 12:24 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Cc: 'R Pancheri' <rpancheri@gmail.com>; 'Price, Fredric W' <fwprice@blm.gov>
Subject: amended Transfer 85625 - Pancheri

James,

Please see the attached amended pages, including an amended Page 3 and Attachment 7a (page 2) showing a reconfigured POU for the 11 acres at issue. The BLM has indicated that this should resolve their protest. Can you issue an amended draft approval for final review?

I've also attached the shapefile of the proposed amended POU.

Thanks,

Kristin Moore
Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com

SCANNED
MAR 16 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR WATER RIGHT TRANSFER NO. 85625 IN THE NAME OF PANCHERI INC.	**NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On December 6, 2021, Pancheri Inc. filed Application for Water Right Transfer No. 85625 with the Idaho Department of Water Resources ("Department"). Protest(s) were filed by Vance Hawley, Hawley Land and Livestock, and USDI Bureau of Land Management. An informal settlement conference was held on July 14, 2022. On July 26, 2022, the applicant filed an amended application with the Department. Protests were withdrawn by Vance Hawley on August 29, 2022 and Hawley Land and Livestock on September 21, 2022. The USDI Bureau of Land Management is the only remaining protest.

The Department has scheduled this case for an informal settlement conference on **March 14, 2023**, beginning at **2:00 pm**. The applicant and protestant(s) must attend.

Please use the following numbers to participate via Webex. Participation options are detailed on a separate document included with this notice.

Meeting number (access code): 2454 959 8383
Meeting password: IDWR2023

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),
2. Additional informational needs,
3. Settlement options,
4. Need for additional informal proceedings or alternative dispute resolution options, and
5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

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If informal proceedings are unlikely to resolve this contested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the pre-hearing conference, please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman at 208-497-3793

Dated this 9th day of February, 2023

James Cefalo
Regional Manager

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CERTIFICATE OF SERVICE

I certify that on the 9th day of February, 2023, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Document Served: Notice of Informal Settlement Conference

PANCHERI INC
1494 HWY 33
HOWE, ID 83244
rpancheri@gmail.com

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC.
482 CONSTITUTION WAY, STE 303
IDAHO FALLS, ID 83402
kristin.rmea@gmail.com

USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
C/O FRED PRICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709
fwprice@blm.gov

Christina Henman
Administrative Assistant

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MAR 16 2023

TO USE WEBEX

Meeting number (access code): 2454 959 8383
Meeting password: IDWR2023

Using Your Computer:

- Calendar invitations were sent to email addresses provided. Simply click the link included to join the meeting, and follow on-screen instructions.

Using the Mobile app:

- Download WebEx Meetings to your mobile device. (App is free.)
- Click Join Meeting.
- Enter Meeting Number, name, and email address.
- Click 'join'.
    - If you intend to share documents, maps, images, etc. please ensure that you have granted the WebEx app the appropriate permissions to access those documents before the meeting.

Using Your Telephone: (No video or internet required)

- Call 1-415-655-0001
- Follow Prompts

More options are included in the emailed link. If you have any questions, need a copy of the invitation sent to another email address, or otherwise need the link, feel free to contact Christina Henman at (208) 525-7161 or christina.henman@idwr.idaho.gov.

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Cefalo, James

From: Price, Fredric W <fwprice@blm.gov>
Sent: Tuesday, November 15, 2022 10:52 AM
To: Cefalo, James
Cc: Kristin Moore; rpancheri@gmail.com
Subject: Re: [EXTERNAL] RE: Application for Transfer 85625 (Pancheri Inc.)
Attachments: Patent-1236209_issued-06-24-1964.PDF

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

James,

RE: Review of Draft Transfer Approval (ver 08-24-2022):
Application for Transfer 85625 (33-00044 et. al.), Pancheri Inc.

Thank you very much for preparing a draft transfer approval for review by the parties! Sorry, it has taken so long to get back to you. The draft transfer approval removes all BLM land from the place of use element (thank you); however, one of the new parcels of private land introduced into the transfer is encumbered with a reservation that is incompatible with irrigated agricultural uses (T06N, R29E, S29, NWSW (28 ac)).

Background:

On 03-28-2022, BLM protested transfer application 85625 because it included irrigation of BLM land, that had been removed in SRBA in 2002 (NCAP of Transfer 68522), but was added back in by Transfer 81449 in 2017:

T05N, R29E, S05, NWNE and SWNE; and
T05N, R29E, S31, SWNE.

BLM established a trespass casefile (IDI-039480) as a companion to the protest.

On 06-02-2022, Rocky Mountain Environmental Assoc. (RMEA) emailed a settlement proposal to remove the BLM land from this transfer (85625) that had been added by the previous transfer (81449). **-sounds good-**

On 07-25-2022, RMEA email me new shapefiles to depict an amended place of use (POU) for Transfer 85625 that removes all the BLM acres within the original shapefile: **-sounds good-**

T05N, R29E, S05, Lot 2 (NWNE), SWNE;
T06N, R29E, S31, SESW, SWNE, SENE;
T06N, R29E, S32, SESW

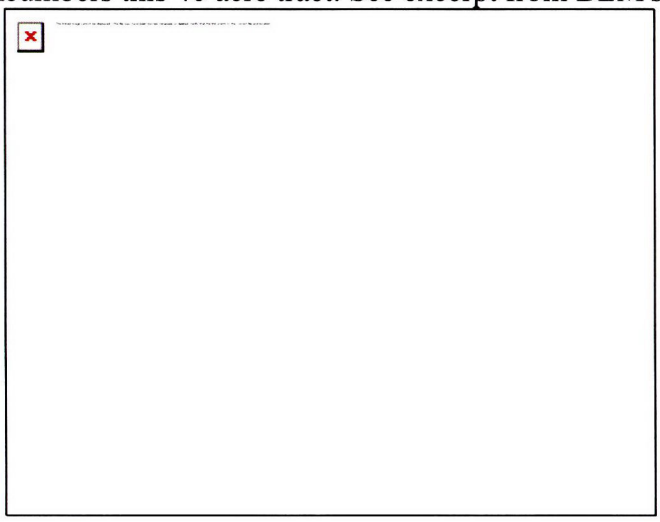
Review of Draft Transfer Approval:

On 08-24-2022, IDWR emailed a draft Transfer Approval (85625) that describes legal land descriptions for POUs on private land. No acres are described on BLM land **(excellent!)**. The draft adds some additional acres on private land not previously contained in the application.

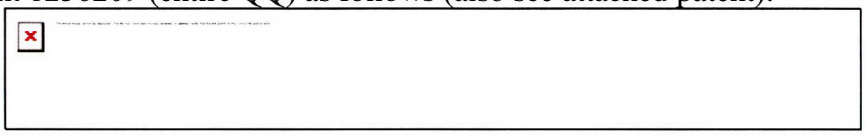
Private POU T06N, R29E, S29, NWSW (28 acres): With regard to the additional private lands added in the draft, there is one place of use (POU) described on private land that contains a reservation that is incompatible with irrigated agricultural uses.

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A right-of-way (ROW) #BL-055947 for a Federal Aid Highway and Material Site (23 U.S.C. 317) encumbers this 40 acre tract. See excerpt from BLM's Master Title Plat (MTP) below.

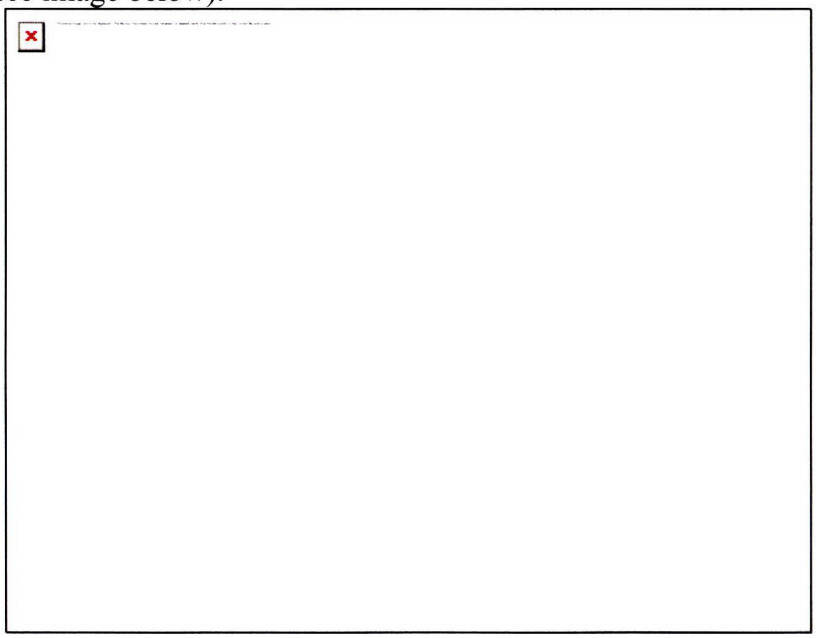


The patent issued by the U.S. that includes T06N, R29E, S29, NWSW contained a reservation in Patent 1236209 (entire QQ) as follows (also see attached patent):



When overlaying the new shapefile over aerial imagery, it can be discerned how the proposed activities overlap the reservation within this QQ (see image below). If Pancheri wants to use this QQ for irrigated agricultural purpose, then he will have to approach the Idaho Dept. of Transportation (ITD) and the Federal Highway Administration (FHWA) to review the material site to determine if it is still needed for federal highway purposes. Perhaps those agencies, upon review, would be willing to relinquish the ROW/reservation in patent if the material site is no longer needed by those agencies.

It appears that Pancheri may already be intruding upon the reservation under the existing pivot (see image below).



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JAN 27 2023.

Fredric W. Price
Water Rights Specialist
BLM, Idaho State Office
1387 S. Vinnell Way
Boise, Idaho 83709-1657
(208) 373-3831
fwprice@blm.gov

From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Thursday, October 13, 2022 11:56 AM
To: Price, Fredric W <fwprice@blm.gov>
Cc: Kristin Moore <kristin.rmea@gmail.com>; rpancheri@gmail.com <rpancheri@gmail.com>
Subject: [EXTERNAL] RE: Application for Transfer 85625 (Pancheri Inc.)

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Fred,

I'm just checking back in on this contested case. We received a withdrawal of protest from Vance Hawley on August 29th and one from Hawley Land & Livestock (Jeff Hawley) on September 21st. The only remaining protest against this application is the one filed by BLM.

As I review my notes from the July 14th settlement conference, it appears that you thought the issues of protest could be resolved through an application amendment, but also said that you might want to send an agent from the BLM field office to the subject property to verify that the proposed shut-off valves were installed at the end of Pancheri's pivot (to avoid irrigating BLM ground). Has this field inspection been coordinated with the BLM field office or with Pancheri? If not, do you think the field inspection is still needed?

If the field inspection is still needed, I think it would be best to coordinate that inspection before the snow flies. Would it be possible to organize that inspection for next week? The weather is still supposed to be warm and dry all of next week.

James

IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

From: Cefalo, James
Sent: Wednesday, August 24, 2022 12:08 PM
To: rpancheri@gmail.com; Kristin Moore <kristin.rmea@gmail.com>; fredric_price@blm.gov; wa7fdr@hotmail.com; hawleyfarm3895@gmail.com
Subject: Application for Transfer 85625 (Pancheri Inc.)

Dear Parties:

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JAN 27 2023

We conducted an informal settlement conference for this contested case on July 14, 2022. During the conference, the applicant agreed to amend the transfer application to address the concerns raised by the protestants. On July 26, 2022, the applicant filed an amended application with IDWR. I have not heard anything more since the amended application was filed. I thought it might be helpful to prepare a draft transfer approval for the parties to review. The draft approval reflects the changes proposed in the amended application. Please let me know if you notice any errors in the document.

The draft approval changes the place of use for twelve water rights to remove the NWNE and SWNE Sec 5, T05N, R29E; and the SWNE Sec 31, T06N, R29E from the authorized place of use. Further, the draft approval includes the standard condition about rights-of-way/easements.

The draft approval also limits the additional points of diversion to water right 33-2068B, the right that already authorizes points of diversion above the Nolan Ranch area. The points of diversion for all other water rights will remain unchanged.

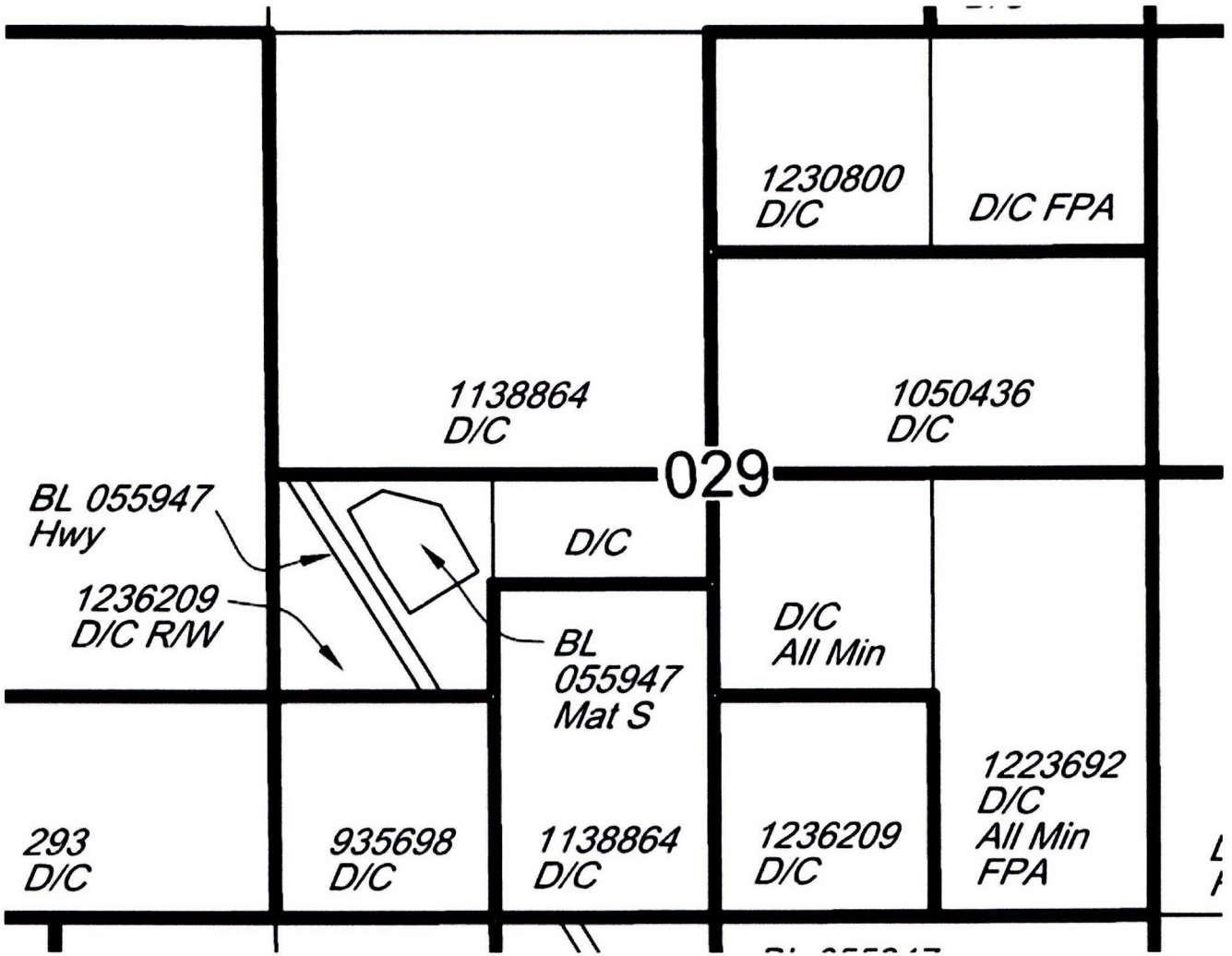
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MTP: T06N, R29E, S29



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Reservation: Patent 1236209

As to the NW¼SW¼ Sec. 29 and the NE¼NW¼ Sec. 32, T. 6 N., R. 29 E., there are also reserved rights-of-way for a Federal Aid Highway and a Material Site under 23 U.S.C. 317.

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Aerial Imagery: T06N, R29E, S29



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JAN 27 2023

Cefalo, James

From: Cefalo, James
Sent: Thursday, October 13, 2022 11:56 AM
To: fredric_price@blm.gov
Cc: Kristin Moore; rpancheri@gmail.com
Subject: RE: Application for Transfer 85625 (Pancheri Inc.)

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JAN 27 2023

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SEP 21 2022
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☑ **Transfer** ☐ **Permit** ☐ **Amendment of Permit** **No.** 85625

In the Name of Pancheri Inc.
Applicant

Name of Protestant: Hawley Land & Livestock (Jeff Hawley)

Represented by: N/A

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☑ My withdrawal is conditioned on the following:

Approval based on the July 26, 2022 Amended Application.

Signature of Protestant or Representative	Title	Date
[signature]	owner	9-21-22

03-01-2018

SCANNED
JAN 27 2023

RECEIVED
AUG 29 2022
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☑ **Transfer** ☐ **Permit** ☐ **Amendment of Permit** **No.** 85425

In the Name of PANCHERI, INC
Applicant

Name of Protestant: VANCE HAWLEY

Represented by: _____

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☑ My withdrawal is not conditional.

Or

☐ My withdrawal is conditioned on the following:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Vance Hawley — Signature of Protestant or Representative

Self — Title

8/24/22 — Date

SCANNED
JAN 27 2023