

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 03 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
33-14928 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
33-14930 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Merlin Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Pancheri Brothers LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1494 Hwy 33 Howe ID 83244
Mailing address City State Zip
208-339-1293
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: February 16, 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 33-14928

8. Signature: Robert L. Harris Attorney March 29, 2023
Signature of new owner/claimant Title, if applicable Date
Robert L. Harris
Print name
- Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant
Print name

For IDWR Office Use Only:

Received by M. Peltier Date 4-3-23 Receipt No. E049034 Receipt Amt. 50.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by JB Processed by JB Date 4/7/2023

Water Right Report : 33-14928(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SMITH, MERLIN	833 S STOUT AVE	BLACKFOOT	ID	83221
Original Owner	CONNECTICUT GENERAL LIFE INSURANCE CO	C/O CIGNA CORP S BLDG S-305 900 COTTAGE GROVE RD	BLOOMFIELD	CT	06002
Original Owner	NEF, DWAIN			ID	
Previous Owner	MADARIETA SOD FARM	C/O RAYMOND MADARIETA PO BOX 1062	HOWE	ID	83244

Water Right Status

Priority Date : 5/25/1972

Basis : Decreed

Status : Active

Water Source

Source Source Qualifier Tributary Tributary Qualifier

GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	26	0	NW	NW	SW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.04 CFS	15.10 AFA
TOTAL			0.04 CFS	15.10 CFS

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	26			NW	SW	4.8

Irrigation Totals

Total Acres Acre Limit

4.80

Conditions

Code Conditions

X35 Rights 33-14928 and 33-14930 when combined shall not exceed a total diversion rate of 0.065 cfs, a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.8 acres.

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 : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

3/29/2023

Water Right Report : 33-14930(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SMITH, MERLIN	833 S STOUT AVE	BLACKFOOT	ID	83221
Original Owner	CONNECTICUT GENERAL LIFE INSURANCE CO	C/O CIGNA CORP S BLDG S-305 900 COTTAGE GROVE RD	BLOOMFIELD	CT	06002
Original Owner	MEREDITH, CATHERINE			ID	
Original Owner	MEREDITH, WILLIAM F			ID	
Previous Owner	MADARIETA SOD FARM	C/O RAYMOND MADARIETA PO BOX 1062	HOWE	ID	83244

Water Right Status

Priority Date : 4/11/1973

Basis : Decreed

Status : Active

Water Source

Source Source Qualifier Tributary Tributary Qualifier

GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	26	0	NW	NW	SW	BUTTE	
GROUND WATER	06N	29E	27	0	NW	NW	SE	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/15	0.03 CFS	9.10 AFA
TOTAL			0.03 CFS	9.10 CFS

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	26			NW	SW	4.8

Irrigation Totals

Total Acres Acre Limit

4.80

Conditions

Code Conditions

- X35 Rights 33-14928 and 33-14930 when combined shall not exceed a total diversion rate of 0.065 cfs, a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.8 acres.
- X61 The period of use for the irrigation described under this right may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
- 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 :
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Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

3/29/2023



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

April 07, 2023

PANCHERI BROTHERS LLC
1494 HIGHWAY 33
HOWE ID 83244-8719

Re: Change in Ownership for Water Right No(s): 33-14928, 33-14930

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 33
HOLDEN KIDWELL HAHN & CRAPO



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

Established in 1896

1000 Riverwalk Drive, Suite 200
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APR 03 2023

Department of Water Resources
Eastern Region

March 31, 2023

Jonie Baily
Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Notice of Change in Water Right Ownership for WR 33-14928 and WR 33-14930.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above-referenced water rights submitted on behalf of Pancheri Brothers LLC. Also included is the required deed evidencing conveyance of title of the water rights. As you can see, the enclosed *Special Warranty Deed for Water Right* specifically conveys the above-referenced water rights, and not any underlying property. The place of use for the water rights is located on property already owned by Pancheri. These water rights were previously reserved as part of the sale of the underlying property, and the decision was subsequently made by the owner of the water rights to convey title to water rights. Now ownership of the underlying property and water rights are the same.

Because the water rights are not being split, we have included the filing fee in the amount of \$50.00. If you have any questions or concerns, please let me know. We appreciate your attention to this matter.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures