

MEMORANDUM

Date: July 10, 2025

To: Transfer 89297

From: Christian Stewart

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes adding a point of diversion for eighteen irrigation rights. The source of fifteen of the rights is the Little Lost River, while three of the rights list Ground Water, Mahogany Creek, Bell Mountain Creek, Unnamed Stream, or Sawmill Creek as sources. The proposed additional point of diversion will allow the applicant to divert or redivert water from the Little Lost River into an existing pipeline.

Authority to File: Pancheri, Inc. is the owner of record for the eighteen water rights in this transfer. The application was signed by Rory Pancheri, Treasurer of Pancheri Inc. per Idaho Secretary of State records. The proposed point of diversion is on land owned by the BLM. The application stated that the BLM is requiring an approved IDWR transfer as a prerequisite to gaining right of way for the point of diversion and connector pipeline through BLM land. Place of use is not changing and is owned by Pancheri, Inc.

Water Right Validity: The water rights were decreed on various dates from 2000 to 2002 by the SRBA court. Rights 33-44, 33-45, 33-46, 33-47 and 33-2068B were recently included in Transfer 85625, approved on 3/17/2023. Rights 33-24, 33-25, 33-26C, 33-27, 33-28, 33-29, 33-36C, 33-39A, 33-40A, 33-115, and 33-10999 were most recently included in Transfer 81299, approved on 1/5/2017. Rights 33-30 and 33-65 were most recently included in Transfer 81054, approved on 9/08/2016. Aerial imagery shows irrigation at the place of use. No forfeiture issues identified.

Injury to Other Water Rights: The application was protested by several local water users on various grounds. Protests to the application were withdrawn as a result of Pancheri Inc. agreeing to subordinate the diversion of water at the additional point of diversion to Little Lost River rights with priority dates senior to January 15, 1908. The subordination condition was added to all of the rights. The watermaster for Water District 33 was notified of the application but did not provide comment. No evidence currently available to the Department indicates that the transfer as conditioned will reduce the quantity of water available to existing water rights.

Enlargement of Use: The transfer will not increase authorized diversion rate, annual volume, or irrigated acres. The transfer proposes rediversion from the Little Lost River from rights from Ground Water, Mahogany Creek, Bell Mountain Creek, Unnamed Creek, and Sawmill Creek. These rights were conditioned to be limited to the quantity available and in priority at the original source as to not create an enhanced water supply. Measuring devices were required at all points of diversion, injection, and rediversion for these rights. No enlargement issues identified.

Local Public interest: No issues identified.

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.