

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77551

RECEIVED

SEP 29 2011

APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable to the Department. Incomplete applications will be returned. The instructions, fee schedule and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

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 Proof Report (obtained from Department) or Details Report (obtained on website) 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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/water/rights/>.
- ☒ ☐ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1RECEIVED
SEP 29 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGIONName of Applicant(s) L&S LAND HOLDINGS, LLC Phone 208 536-6148Mailing address 2930 S. 2300 E., WENDELL, IDAHO 83355 Email _____

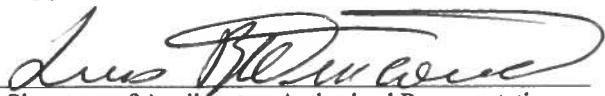
- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the 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 RepresentativeName of Representative TSK ENTERPRISES LLC/GARY L FUNDERBURG Phone 208 320-0897Mailing address 255 BLUE LAKES BLVD NTH, PMB 617, TWIN FALLS, IDAHO 83301 Email _____

- ☐ 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



Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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. 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.2. COMMERCIAL AND STOCKWATER**

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. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
47-17364	2.04/374.4	COM./ST	1/1 to 12/31	GROUNDWATER
47-17365	0.86 / 374.4	COM./ST	1/1 to 12/31	GROUNDWATER
47-17091	1.5 / 365	COM./ST	1/1 to 12/31	GROUNDWATER
47-17092	0.9 / 365	COM./ST	1/1 to 12/31	GROUNDWATER
			to	
			to	
			to	
			to	
			to	
Total <u>5.30</u> cfs and/or <u>739.4</u> ac-ft				

2. Total amount of water being transferred or changed 5.30 cubic feet per second and/or 739.4 acre-feet per annum.

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.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N		NW	NW	SW	34	11S	19E	CASSIA	GROUNDWATER	D0044700-W
N		NW	NW	SW	34	11S	19E	CASSIA	GROUNDWATER	D0044694-E
N		NW	SW	SW	34	19E	19E	CASSIA	GROUNDWATER	D0057027-W
N		NW	SW	SW	34	11S	19E	CASSIA	GROUNDWATER	D0060523-E <i>Revised</i>
Y		SE	SW	NE	34	11S	19E	CASSIA	GROUNDWATER	# 21 A0005028

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	
11S	19E	34					C,S	C,S	C,S	C,S	C,S	C,S	C,S	C,S					

Total Acres (for irrigation use) _____

Additional Points of Diversions
Luis & Sharon Bettencourt
Dry Creek Dairy Transfer

[illegible]

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: (7) WELLS, MOTORS, PUMPS AND MEAS. DEVICES

- 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: N/A

- e. 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: _____

- f. 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1. of the application, attach a Proof Report (obtained from Department) or Details Report (obtained from website @ <http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp>). Label it Part 2A.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable.

Right Number: _____

1. amount _____	(cfs/ac-ft) for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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	

Total Acres (for irrigation use) _____

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.

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 right(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**.

1. 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.:

Remarks:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by JSR Date 9/29/2011 Prelim. Check by _____ Date _____

Fee Paid \$900- Date 9/29/2011 Received by JSR Receipt # S032155

Add'l Fee Paid	Date	Received by	Receipt #
----------------	------	-------------	-----------

By
DB

28



4

VERTICAL TURBINE PUMPS
PHONE 733-3284 P.O. BOX 640
TWIN FALLS, IDAHO 83303

NAME	EATON DRILLING	LOCATION	BETTENCOURT DAIRY, MURTAUGH
------	----------------	----------	-----------------------------

I.D. WELL	10"	WELL DEPTH	550'	WATER TEMP		STATIC WATER LEVEL	408'
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ORIFICE SIZE 5" DISCHARGE PIPE 8" COLUMN & LENGTH 6" X 500' AIRLINE

COLOR & LENGTH 6 A 500 AIRLINE
North Burn WEST WELL

[illegible]

(LAYNE PUMPS, INC.)

INSTALLED BY: GREG & BOB

BETTENCOURT DAIRY
(OWNER OF WELL)

DATE: _____

10/24/2007



CERTIFICATE OF ORGANIZATION FILED EFFECTIVE LIMITED LIABILITY COMPANY

(Instructions on back of application)

08 SEP 15 AM 9:42

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

L & S LAND HOLDINGS, LLC

2. The complete street and mailing addresses of the initial designated/principal office:

2930 S. 2300 E., WENDELL ID 83355

(Street Address)

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

LUIS M. BETTENCOURT

(Name)

2930 S. 2300 E., WENDELL ID 83355

(Street Address)

4. The name and address of at least one member or manager of the limited liability company:

Name

Address

THE LUIS M. AND SHARON

2930 S. 2300 E., WENDELL ID 83355

BETTENCOURT 2008 TRUST U/A/D

MARCH 5, 2008

5. Mailing address for future correspondence (annual report notices):

2930 S. 2300 E., WENDELL ID 83355

6. Future effective date of filing (optional): _____

Signature of organizer(s). (An organizer is a member, or is acting in behalf of a member or members).

Signature _____

Typed Name: LUIS M. BETTENCOURT, TRUSTEE

Signature *Luis Bettencourt*

Typed Name: _____

Secretary of State use only

W77679

IDAHO SECRETARY OF STATE
09/15/2008 05:00
CK: 20861 CT: 1660 BH: 1135850
1 @ 100.00 = 100.00 ORGAN LLC # 2

g:\corpforms\LLC form\statel_09_15_08.PMD
Revised 07/2008

Don No. 7 280-2090

Layne 733 3124

Gary F 320-0897

IMPACT w.o. measure?

PLI 11/12/84

600-700

173'

173'

200'

stay 30' from lane, be 170' from west wall

Don - 733 3124
Layne - 733 3124
Gary F - 320 0897

600 700 - 1700

Con of Impact

Don
Layne
Gary F

Don
Layne
Gary F

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

8/24/2011

WATER RIGHT NO. 47-17091

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LUIS M BETTENCOURT
Current Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208)536-6148
Original Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675

Priority Date: 02/23/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCK WATER	01/01	12/31	1.5 CFS	365 AFA
COMMERCIAL	01/01	12/31	1.5 CFS	365 AFA
Total Diversion			1.5 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	X36	Rights 47-17092, 45-14008, and 45-14010 are also diverted through the point(s) of diversion described above.
3.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5.	e61	Rights 47-17091, 47-17092, 45-14008, and 45-14010 when combined shall not exceed a total diversion rate of 5.3 cfs nor a total annual maximum diversion volume of 739.4 af.
6.	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.
7.	e60	Rights 47-17091 and 47-17092 when combined shall not exceed a total diversion rate of 2.4 cfs nor a total annual maximum diversion volume of 365 af.
		Prior to the diversion and use of water under this approval, the right holder shall comply with

8.	106	applicable water quality permitting requirements administered by Department of Environmental Quality or the Department of Agriculture.
9.	082	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10.	x01	Commercial use is for a dairy operation
11.	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 determine the amount of water diverted from power records and shall annually report the information to the Department.

Dates:

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

8/24/2011

WATER RIGHT NO. 47-17092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LUIS M BETTENCOURT
Current Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208)536-6148
Original Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208)432-6675

Priority Date: 12/19/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCK WATER	01/01	12/31	0.9 CFS	365 AFA
COMMERCIAL	01/01	12/31	0.9 CFS	365 AFA
Total Diversion			0.9 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Conditions of Approval:

1.	X36	Rights 47-17091, 45-14008, and 45-14010 are also diverted through the point(s) of diversion described above.
2.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3.	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.
4.	e61	Rights 47-17091, 47-17092, 45-14008, and 45-14010 when combined shall not exceed a total diversion rate of 5.3 cfs nor a total annual maximum diversion volume of 739.4 af.
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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	106	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7.	082	Prior to the diversion and use of water under this approval, the right holder shall comply with

8.	x01	applicable county zoning and use ordinances. Commercial use is for dairy operation
9.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10.	e60	Rights 47-17091 and 47-17092 when combined shall not exceed a total diversion rate of 2.4 cfs nor a total annual maximum diversion volume of 365 af
11.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Dates:

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/24/2011

WATER RIGHT NO. 47-17364

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LUIS M BETTENCOURT
Current Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208)536-6148
Original Owner	VAUGHN WOODHOUSE 1011 S 300 W BURLEY, ID 83318 (208)862-3439
Original Owner	VAN LEUVEN WOODHOUSE AND WOODHOUSE C/O BRUCE VAN LEUVEN 2900 N 4305 E MURTAUGH, ID 83344 (208)432-5389
Original Owner	SALLY VAN LEUVAN
Original Owner	BRUCE VAN LEUVEN
Original Owner	ANNETTA WOODHOUSE
Original Owner	CLAUDIA WOODHOUSE
Original Owner	PAUL M WOODHOUSE 1550 S HWY 27 OAKLEY, ID 83346-9750 (208)862-3439

Priority Date: 12/23/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCK WATER	01/01	12/31	2.04 CFS	374.4 AFA
COMMERCIAL	01/01	12/31	2.04 CFS	374.4 AFA
Total Diversion			2.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County

STOCK WATER Use:
Number of stock: 8800

Place(s) of use:

Place of Use Legal Description: STOCK WATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Conditions of Approval:

1.	106	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
2.	X35	Rights 47-17364 and 47-17365 when combined shall not exceed a total diversion rate of 2.90 cfs nor a total annual maximum diversion volume of 374.4 af
3.		Commercial use is for a dairy operation
4.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one 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.	X36	Rights 47-17091, 47-17092, and 47-17365 are also diverted through the point(s) of diversion described above.
9.		Rights 47-17091, 47-17092, 47-17364, and 47-17365 when combined shall not exceed a total diversion rate of 5.30 cfs nor a total annual maximum diversion volume of 739.4 af
10.	082	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11.	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: 07/06/2005

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: And

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit: 374.4
Combined Rate Limit: 2.9
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/24/2011

WATER RIGHT NO. 47-17365

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LUIS M BETTENCOURT
Current Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208)536-6148
Original Owner	VAUGHN WOODHOUSE 1011 S 300 W BURLEY, ID 83318 (208)862-3439
Original Owner	VAN LEUVEN WOODHOUSE AND WOODHOUSE C/O BRUCE VAN LEUVEN 2900 N 4305 E MURTAUGH, ID 83344 (208)432-5389
Original Owner	SALLY VAN LEUVAN
Original Owner	BRUCE VAN LEUVEN
Original Owner	ANNETTA WOODHOUSE
Original Owner	CLAUDIA WOODHOUSE
Original Owner	PAUL M WOODHOUSE 1550 S HWY 27 OAKLEY, ID 83346-9750 (208)862-3439

Priority Date: 02/14/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCK WATER	01/01	12/31	0.86 CFS	374.4 AFA
COMMERCIAL	01/01	12/31	0.86 CFS	374.4 AFA
Total Diversion			0.86 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWNWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County
GROUND WATER	NWSWSW	Sec. 34	Township 11S	Range 19E	TWIN FALLS County

STOCK WATER Use:
Number of stock: 8800

Place(s) of use:

Place of Use Legal Description: STOCK WATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	19E	34		NENW			NWNW			SWNW			SEnw	
				NESW			NWSW			SWSW			SESW	

Conditions of Approval:

1.	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.
2.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3.	106	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4.	X36	Rights 47-17091, 47-17092, and 47-17364 are also diverted through the point(s) of diversion described 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	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.
7.	082	Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8.	X35	Rights 47-17364 and 47-17365 when combined shall not exceed a total diversion rate of 2.90 cfs nor a total annual maximum diversion volume of 374.4 af.
9.		Commercial use is for a dairy operation
10.		Rights 47-17091, 47-17092, 47-17364, and 47-17365 when combined shall not exceed a total diversion rate of 5.30 cfs nor a total annual maximum diversion volume of 739.4 af.
11.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Dates:

Licensed Date:

Decreed Date: 07/06/2005

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: And

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 374.4

Combined Rate Limit: 2.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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000 57027

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W - 000 44700

E - 000 44694

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