

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76955

This is to certify that: LUIS M BETTENCOURT
 2930 S 2300 E
 WENDELL ID 83355
 (208)536-6148

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-7605	WR/Decreed	02/04/1976	1.04 cfs	208 af	N/A	52.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

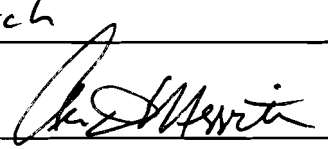
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7605	NO	NO	NO	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-7605	36-7605	1.04 cfs	208 af	N/A	29.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.04 cfs	208 af	N/A	29.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of March, 2011


 Southern Region Manager

WATER RIGHT NO. 36-7605
As Modified by Transfer No. 76955

In accordance with the approval of Transfer No. 76955, Water Right No. 36-7605 is now described as follows.

Right Holder: LUIS M BETTENCOURT

2930 S 2300 E

WENDELL ID 83355

Priority Date: February 04, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.59 CFS	118.4 AF
MITIGATION	03/15	to 11/15	0.45 CFS	89.6 AF
			1.04 CFS	208.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSW Sec. 35 Twp 07S Rge 15E GOODING County

GROUND WATER L3 (NWNENW) Sec. 2 Twp 08S Rge 15E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 15E 34													12.0				12.0
07S 15E 35														17.6			17.6

Total Acres: 29.6

PLACE OF USE: MITIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 15E 35														22.4			22.4

CONDITIONS OF APPROVAL

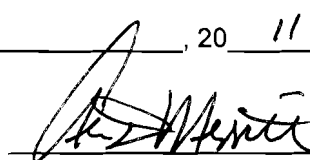
1. The mitigation portion of right 36-7605 is used for mitigation purposes for right 36-16752 under Transfer approval 73740
2. The model used to calculate depletion effects and mitigation for the Thousand Springs reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 76955. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

WATER RIGHT NO. 36-7605
As Modified by Transfer No. 76955

3. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of this right is combined with water from North Side Canal Co., Ltd.
6. 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. 130.
7. Prior to the diversion and use of water under Transfer approval 76955, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 15th day of March, 20 11


Southern Region Manager

State of Idaho
Department of Water Resources
Attachment To Transfer Of Water Right
Transfer No. 76955

Rights: 36-7605

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



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



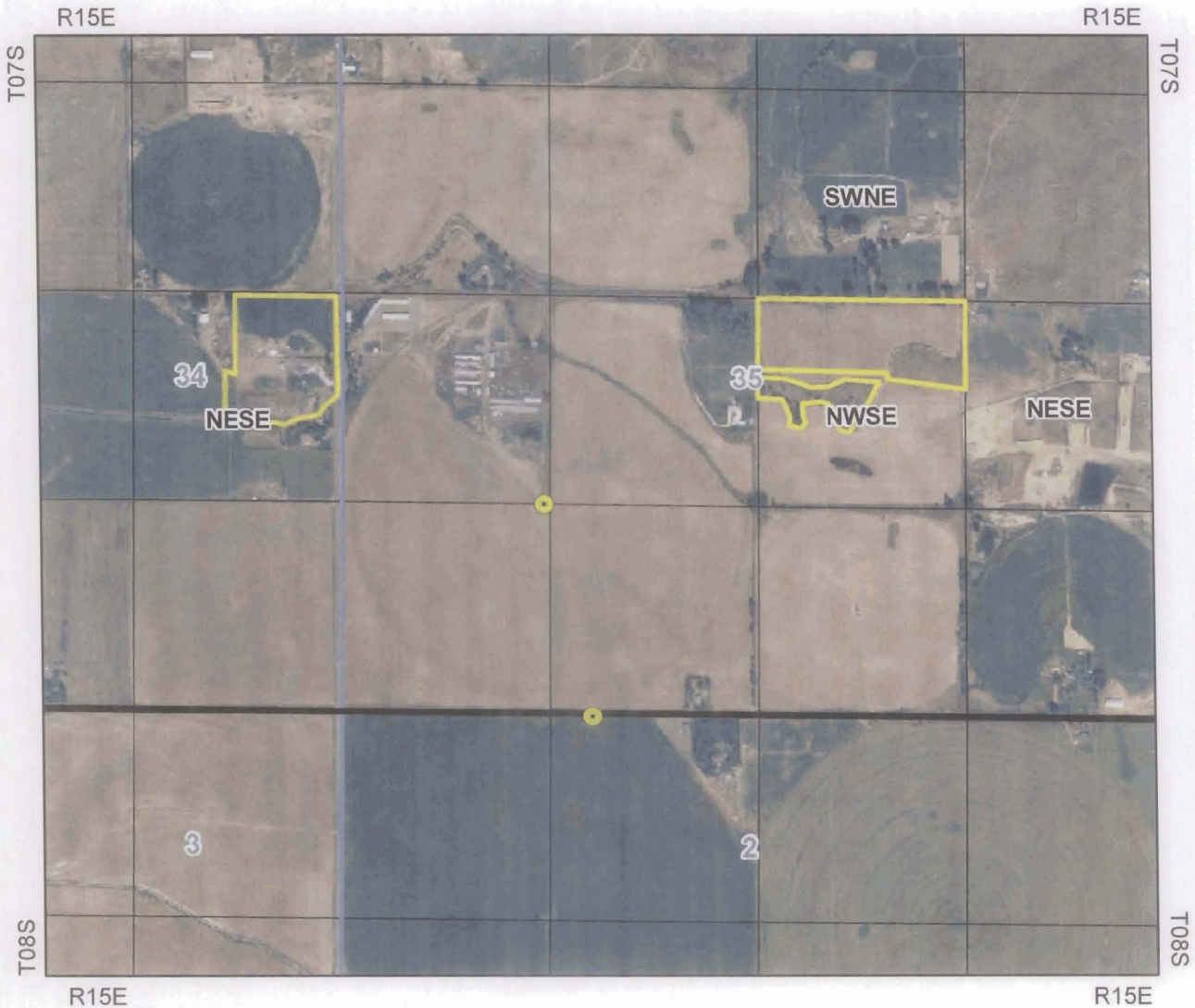
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76955

Rights: 36-7605

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



Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.125 0.25 0.5 Miles

