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Water Resources

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DEPT. OF WATER RESOURCES  
SOUTHERN REGION

December 2, 2010

Corey Skinner  
Idaho Department of Water Resources  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380

Re: Application for Mitigation Transfer of 36-7605 for Transfer No. 73740

Dear Mr. Skinner:

Transfer No. 73740 has been submitted by V&L Dairy to transfer 22.4 acres of irrigation water to stock and commercial water and to combine water rights 36-16752 and 36-15206. This transfer has been analyzed using the ESPA Model and resulted in depletion in the 1000 Springs Reach of the ESPA Model. New IDWR guidelines indicate that the depletion requires mitigation in full to offset the depletion.

A previous agreement between Frank Veenstra and Luis Bettencourt indicated that Mr. Bettencourt owed Mr. Veenstra 18.0 acres of a non specified water right or the equivalent monetary value of the 18.0 acres of water right. Therefore, 22.4 acres of water right 36-7605 owned by Luis Bettencourt will be transfer to a beneficial use of mitigation to offset Transfer No. 73740. The ESPA Model analysis of using the 22.4 acres for mitigation calculated a near 0.0 depletion in the 1000 Springs Reach and fulfilled all mitigation requirements set forth in the IDWR transfer guidelines.

An amount of 0.45/89.6 CFS/AFA will be transferred into mitigation from 36-7605. The ESPA Model cell that contains the two PODs for 36-7605 is Row 47 Column 21.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

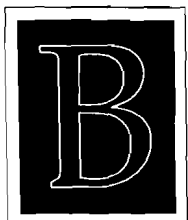
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A previously submitted check for \$100.00 has been deposited by IDWR for this mitigation transfer (Receipt # F031529). A second check from Brockway Engineering is included with this application.

Sincerely,

Greg Sullivan E.I.T.

Cc: Frank Veenstra, Luis Bettencourt

Enc: ESPA Model Analysis, Warranty Deed for Luis Bettencourt, Aerial Mapping, FSA  
Records, Check # 9782 for \$150.00

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