



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

October 25, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

LUIS BETTENCOURT
2930 S 2300 E
WENDELL ID 83355

RE: WATER SUPPLY BANK LEASE APPLICATION WATER RIGHT NO 36-16479

Dear Applicant:

On July 11, 2008 the Idaho Department of Water Resources received your application to lease water right no(s).36-16479 to the Water Supply Bank for a period ending October 15, 2009. The Department is returning your application since it was not processed prior to the end of the proposed lease period.

If you would still like to offer this right(s) for lease to the Bank, please submit a new lease application. Application forms and information about the Water Supply Bank are available from the Department's web site at: www.idwr.idaho.gov. Please contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Christine Field".

Christine Field
Water Supply Bank Support

Enclosure(s): Lease Application

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

RECEIVED
JUL 11 2008
DEPARTMENT OF
WATER RESOURCES

Name of Seller/Lessor _____ LUIS BETTENCOURT _____ Phone _____

Post office _____ 2930 S. 2300 E, Wendell, Idaho 83355 _____

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. _____ 36-16479 _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: _____ 1.32 _____ cubic feet per second &/or
_____ 277.2 _____ acre-feet per annum
- b. Point of diversion NE _____ ¼ of SE _____ ¼ of Section _____ 25 _____ Township 7S. _____ Range
_____ 15E _____, B.M. in _____ GOODING _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	15E	25	0.3																0.3
7S	16E	19											10	3					13.0
													LT4						
7S	16E	30					23	27	27	23		6							106.0
								LT1	LT2										

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 119.3

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

 Partial Decree has been issued.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

N/A

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

N/A

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

N/A

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

_____ For lease for a period from 1-3-2008 to 15-10-2009
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

7-3-08
Date

[Signature]
Signature

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 7/11/08 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____