

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 74789**

This is to certify that: SHARON L BETTENCOURT And  
 LUIS 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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 47-2532      | AJC/License         | 02/20/1951      | 1.54 cfs    | 596 af        |                   | 149.0              | GROUND WATER  |
| 47-4492      | AJC/Beneficial Use  | 04/15/1961      | 0.78 cfs    | 380 af        |                   | 149.0              | GROUND WATER  |
| 47-17090     | AJC/License         | 11/03/1950      | 3 cfs       | 620 af        |                   | 155.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 47-2532               | YES          | YES        | NO         | YES            | YES                  | YES                  |
| 47-4492               | YES          | YES        | NO         | YES            | YES                  | YES                  |
| 47-17090              | YES          | YES        | NO         | YES            | YES                  | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 47-2532               | <b>47-17484</b>                  | 0.81 cfs             | 247.3 af               | N/A               |                    | <b>47-17483</b>                    | 0.73 cfs              | 284 af                  | 71.0                        | 71.0                         |
| 47-4492               | <b>47-17486</b>                  | 0.41 cfs             | 157.7 af               | N/A               |                    | <b>47-17485</b>                    | 0.37 cfs              | 181.1 af                | 71.0                        | 71.0                         |
| 47-17090              | <b>47-17488</b>                  | 1.51 cfs             | 149 af                 | N/A               |                    | <b>47-17487</b>                    | 1.49 cfs              | 308 af                  | 77.0                        | 77.0                         |

**COMBINED**

|               |                 |                 |  |  |  |            |            |            |            |
|---------------|-----------------|-----------------|--|--|--|------------|------------|------------|------------|
| <b>TOTALS</b> | <b>2.73 cfs</b> | <b>396.3 af</b> |  |  |  | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> |
|---------------|-----------------|-----------------|--|--|--|------------|------------|------------|------------|

Detailed Water Right Description(s) attached

Dated this 15<sup>th</sup> day of January, 20 10

**SUPPORT DATA**

FOI2

Chief, Water Allocation Bureau

IN FILE # 47-2532

**WATER RIGHT NO. 47-17483**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17483 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
 2930 S 2300 E  
 WENDELL ID 83355

**Priority Date:** February 20, 1951

**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  | 0.73 CFS              | 284.0 AF      |
|                       |             |           | 0.73 CFS              | 284.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESESW      Sec. 33 Twp 11S    Rge 19E    TWIN FALLS  
 County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|------|------|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 11S 19E 33  |    |    |    |    |    |    |    |    |    |    | 38.0 | 33.0 |    |    |    |    | 71.0   |

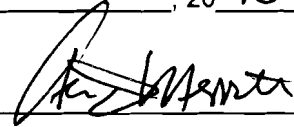
Total Acres: 71

**CONDITIONS OF APPROVAL**

- Right 47-17483 and 47-17485 are limited to a total combined annual diversion volume of 284 AF.
- Rights 47-17483 and 47-17485 are limited to the irrigation of a combined total of 71 acres in a single irrigation season.
- 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.
- 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 15<sup>th</sup> day of January, 20 10

FOR   
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17484**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17484 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
 2930 S 2300 E  
 WENDELL ID 83355

**Priority Date:** February 20, 1951

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| STOCKWATER            | 01/01       | to 12/31  | 0.81 CFS              | 247.3 AF      |
| COMMERCIAL            | 01/01       | to 12/31  | 0.81 CFS              | 247.3 AF      |
|                       |             |           | 0.81 CFS              | 247.3 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |        |                 |         |                      |
|--------------|--------|-----------------|---------|----------------------|
| GROUND WATER | SWSESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SWSESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11S 19E 33  |    |    |    |    |    |    |    |    | X  |    |    |    | X  |    |    |    |        |

**PLACE OF USE:** COMMERCIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11S 19E 33  |    |    |    |    |    |    |    |    | X  |    |    |    | X  |    |    |    |        |

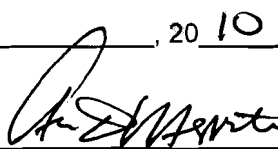
**WATER RIGHT NO. 47-17484**  
**As Modified by Transfer No. 74789**

**CONDITIONS OF APPROVAL**

1. Rights 47-17484 and 47-17486 when combined shall not exceed a total diversion rate of 1.22 cfs and a total annual maximum diversion volume of 247.3 af.
2. Rights 47-17484, 47-17486, and 47-17488 when combined shall not exceed a total diversion rate of 2.73 cfs and a total annual maximum diversion volume of 396.3 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 15<sup>th</sup> day of January, 20 10

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17485**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17485 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
2930 S 2300 E  
WENDELL ID 83355

**Priority Date:** April 15, 1961

**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  | 0.37 CFS              | 181.1 AF      |
|                       |             |           | 0.37 CFS              | 181.1 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      **SESESW**      Sec. 33 Twp 11S   Rge 19E   TWIN FALLS  
County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | <b>NE</b> |           |           |           | <b>NW</b> |           |           |           | <b>SW</b> |           |           |           | <b>SE</b> |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>Totals</u> |
| 11S | 19E | 33  |           |           |           |           |           |           |           |           |           | 38.0      | 33.0      |           |           |           |           |           | 71.0          |

Total Acres: 71

## CONDITIONS OF APPROVAL

1. Right 47-17483 and 47-17485 are limited to a total combined annual diversion volume of 284 AF.
2. Rights 47-17483 and 47-17485 are limited to the irrigation of a combined total of 71 acres in a single irrigation season.
3. 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.
4. 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 15<sup>th</sup> day of January, 20 10

For

Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17486**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17486 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
 2930 S 2300 E  
 WENDELL ID 83355

**Priority Date:** April 15, 1961

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.41 CFS              | 157.7 AF      |
| STOCKWATER            | 01/01       | to 12/31  | 0.41 CFS              | 157.7 AF      |
|                       |             |           | 0.41 CFS              | 157.7 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |        |                 |         |                      |
|--------------|--------|-----------------|---------|----------------------|
| GROUND WATER | SWSNW  | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SWSNW  | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |

**PLACE OF USE:** COMMERCIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 11S 19E 33  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    |    |    |    |    |    | X  |    |    | X  |    | X  | X  |    |        |

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 11S 19E 33  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    |    |    |    |    |    | X  |    |    | X  |    | X  | X  |    |        |

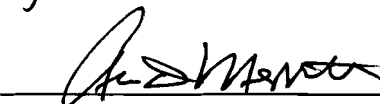
**WATER RIGHT NO. 47-17486**  
**As Modified by Transfer No. 74789**

**CONDITIONS OF APPROVAL**

1. Rights 47-17484 and 47-17486 when combined shall not exceed a total diversion rate of 1.22 cfs and a total annual maximum diversion volume of 247.3 af.
2. Rights 47-17484, 47-17486, and 47-17488 when combined shall not exceed a total diversion rate of 2.73 cfs and a total annual maximum diversion volume of 396.3 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 15<sup>th</sup> day of January, 20 10

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17487**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17487 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
2930 S 2300 E  
WENDELL ID 83355

**Priority Date:** November 03, 1950

**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  | 1.49 CFS              | 308.0 AF      |
|                       |             |           | 1.49 CFS              | 308.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESESE      Sec. 33 Twp 11S    Rge 19E    TWIN FALLS  
County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |    |    |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|----|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE   |        |
| 11S | 19E | 33  |    |    |    |    |    |    |    |    |    |    |    |    | 40.0 |    |    | 37.0 | 77.0   |

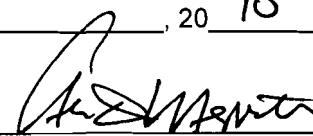
Total Acres: 77

**CONDITIONS OF APPROVAL**

- 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 15<sup>th</sup> day of January, 20 10

  
 FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17488**  
**As Modified by Transfer No. 74789**

In accordance with the approval of Transfer No. 74789, Water Right No. 47-17488 is now described as follows.

**Right Holder:** LUIS M BETTENCOURT And SHARON L BETTENCOURT  
 2930 S 2300 E  
 WENDELL ID 83355

**Priority Date:** November 03, 1950

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 1.51 CFS              | 149.0 AF      |
| STOCKWATER            | 01/01       | to 12/31  | 1.51 CFS              | 149.0 AF      |
|                       |             |           | 1.51 CFS              | 149.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |        |                 |         |                      |
|--------------|--------|-----------------|---------|----------------------|
| GROUND WATER | SWSENW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SWSENW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |
| GROUND WATER | SESESW | Sec. 33 Twp 11S | Rge 19E | TWIN FALLS<br>County |

**PLACE OF USE:** COMMERCIAL

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |  |
| 11S | 19E | 33  |    |    |    |    |    |    |    |    | X  |    |    |    | X  |    |    | X  | X      |  |

**PLACE OF USE:** STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |  |
| 11S | 19E | 33  |    |    |    |    |    |    |    |    | X  |    |    |    | X  |    |    | X  | X      |  |

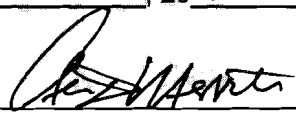
**WATER RIGHT NO. 47-17488**  
**As Modified by Transfer No. 74789**

**CONDITIONS OF APPROVAL**

1. Rights 47-17484, 47-17486, and 47-17488 when combined shall not exceed a total diversion rate of 2.73 cfs and a total annual maximum diversion volume of 396.3 af.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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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 15<sup>th</sup> day of January, 20 10

  
FOIR Chief, Water Allocation Bureau