

RECEIVED
JUN 03 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 2 - 2009	
By _____	Clerk Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) Water Right Nos.: 47-17269 &
) 47-17272
) (Bettencourt)
)
) ORDER OF PARTIAL DECREES
)

On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part I, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On April 4, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED

June 2, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-17269

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 2 - 2009
By _____ Clerk
_____ Clerk

NAME AND ADDRESS: LUIS M BETTENCOURT
SHARON L BETTENCOURT
2930 S 2300 E
WENDELL, ID 83355

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.014 CFS

This right when combined with Right No 47-17272 shall provide no
more than .02 cfs per acre.

PRIORITY DATE: 09/23/1929

POINT OF DIVERSION: T12S R18E S01 SWSWS Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.014 CFS

PLACE OF USE: Irrigation Within Twin Falls County
T11S R19E S29 SWSW 1.4
1.4 Acres Total

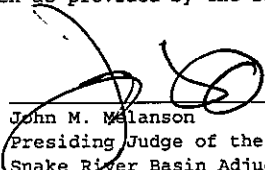
Right Nos. 47-17269 and 47-17272 are limited to the irrigation
of a combined total of 1.4 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

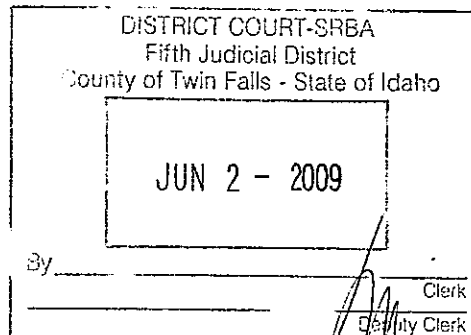
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-17272



NAME AND ADDRESS: LUIS M BETTENCOURT
SHARON L BETTENCOURT
2930 S 2300 E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.05 CFS
5.60 AFY

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.
This right when combined with Right No 47-17269 shall provide no
more than .02 cfs per acre.

PRIORITY DATE: 06/23/1945

POINT OF DIVERSION: T11S R19E S29 SESWSW Within Twin Falls County
SESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.02 CFS
			5.60 AFY
	Domestic	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Twin Falls County
T11S R19E S29 SWSW 1.4
1.4 Acres Total

Domestic Within Twin Falls County
T11S R19E S29 SWSW

Right Nos. 47-17269 and 47-17272 are limited to the irrigation
of a combined total of 1.4 acres in a single irrigation season.

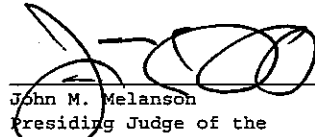
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 02, 2009, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LUIS M BETTENCOURT
SHARON L BETTENCOURT
2930 S 2300 E
WENDELL, ID 83355

