

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 66107

This is to certify that: FRANK W VEENSTRA  
2675 S 1300 E  
HAGERMAN ID 83332  
(208) 837-4432

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 36-16507     | WR/Decreed          | 09/15/1972      | 1.17 cfs    | 400 af        |                   | 100.0              | GROUND WATER  |
| 36-16509     | WR/Decreed          | 08/16/1973      | 0.38 cfs    | N/A           |                   | 100.0              | GROUND WATER  |
| 36-16721     | WR/Decreed          | 04/29/1958      | 0.64 cfs    | 127.3 af      | 31.8              | 74.0               | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-16507              | YES          | YES        | YES        | NO             | YES                  | YES                  |
| 36-16509              | YES          | YES        | YES        | NO             | YES                  | YES                  |
| 36-16721              | YES          | YES        | YES        | NO             | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-16507               | <b>36-16746</b>                  | 0.16 cfs             | 40.5 af                | N/A               | N/A                | <b>36-16745</b>                    | 1.01 cfs              | 360.5 af                | 87.5                        | 100.0                        |
| 36-16509               | <b>36-16748</b>                  | 0.05 cfs             | 40.5 af                | N/A               | N/A                | <b>36-16747</b>                    | 0.38 cfs              | N/A                     | 87.5                        | 100.0                        |
| 36-16721               | <b>36-16744</b>                  | 0.22 cfs             | 33.3 af                | N/A               | N/A                | <b>36-16743</b>                    | 0.42 cfs              | 94 af                   | 20.7                        | 74.0                         |
| <b>COMBINED TOTALS</b> |                                  | <b>0.43 cfs</b>      | <b>73.8 af</b>         | <b>N/A</b>        | <b>N/A</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 13<sup>th</sup> day of April, 2009

\_\_\_\_\_  
Chief, Water Allocation Bureau

SUPPORT DATA

SCANNED IN FILE # 36-16721

**WATER RIGHT NO. 36-16743**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16743 is now described as follows.

**Right Holder:** FRANK W VEENSTRA  
2675 S 1300 E  
HAGERMAN ID 83332

**Priority Date:** April 29, 1958

**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  | 0.42 CFS              | 94.0 AF       |

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

GROUND WATER      NWSENE      Sec. 23 Twp 07S   Rge 14E   GOODING 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 |        |
| 07S 14E 23  |    |    | 33.0 | 16.0 |    |    |    | 25.0 |    |    |    |    |    |    |    |    | 74.0   |

Total Acres: 74

**CONDITIONS OF APPROVAL**

1. 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.
2. Use of this right is combined with water from Northside Canal Co. LTD.
3. This right is limited to the irrigation of 20.7 acres within the place of use described above in a single irrigation season.

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 13<sup>th</sup> day of April, 20 09

\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16744**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16744 is now described as follows.

**Right Holder:** FRANK W VEENSTRA  
2675 S 1300 E  
HAGERMAN ID 83332

**Priority Date:** April 29, 1958

**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  | 0.22 CFS              | 33.3 AF       |
| STOCKWATER            | 01/01       | to 12/31  | 0.22 CFS              | 33.3 AF       |
|                       |             |           | 0.22 CFS              | 33.3 AF       |

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

|              |      |                 |         |                |
|--------------|------|-----------------|---------|----------------|
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | SENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |

**PLACE OF USE:** COMMERCIAL

[illegible]

PLACE OF USE: STOCKWATER

| Twp Rge Sec |     |    |  | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           | Totals |
|-------------|-----|----|--|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
|             |     |    |  | <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> |        |
| 07S         | 14E | 23 |  | X         | X         | X         | X         |           |           |           |           |           |           |           |           |           |           |           |           |        |

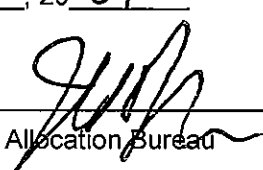
**WATER RIGHT NO. 36-16744**  
**As Modified by Transfer No. 66107**

**CONDITIONS OF APPROVAL**

1. 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.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 66107, 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.
4. 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.
5. The following rights are diverted through point(s) of diversion described above: 36-16744, 36-16746, 36-16748.
6. Commercial use is for a dairy.
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 13<sup>th</sup> day of April, 20 09

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16745**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16745 is now described as follows.

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

And/Or

MARIA A BETTENCOURT  
 181 W 400 N  
 JEROME ID 83338

**Priority Date:** September 15, 1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 1.01 CFS              | 360.5 AF      |

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

GROUND WATER      NENWNE      Sec. 23 Twp 07S   Rge 14E   GOODING 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 |        |
| 07S 14E 14  |    |    |      |    |    |    |      |    |    |    |    | 35.0 |    |    |    |    | 35.0   |
| 07S 14E 23  |    |    | 32.0 |    |    |    | 33.0 |    |    |    |    |      |    |    |    |    | 65.0   |

Total Acres: 100

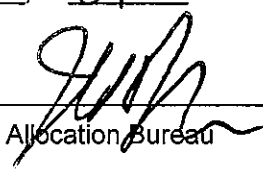
**WATER RIGHT NO. 36-16745**  
**As Modified by Transfer No. 66107**

**CONDITIONS OF APPROVAL**

1. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. Right 36-16747 is also diverted through point of diversion described above.
3. Use of this right with Right 36-16747 is limited to the irrigation of a combined total of 87.5 acres in a single irrigation season.
4. Use of this right with Right 36-16747 is limited to a total combined diversion volume of 360.5 af.
5. Use of this right is combined with water from North Side Canal Co. Ltd.
6. 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 13<sup>th</sup> day of April, 2009

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16746**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16746 is now described as follows.

**Right Holder:** FRANK W VEENSTRA  
2675 S 1300 E  
HAGERMAN ID 83332

**Priority Date:** September 15, 1972

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| COMMERCIAL                   | 01/01              | to 12/31         | 0.16 CFS                     | 40.5 AF              |
| STOCKWATER                   | 01/01              | to 12/31         | 0.16 CFS                     | 40.5 AF              |
|                              |                    |                  | 0.16 CFS                     | 40.5 AF              |

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

|              |      |                 |         |                |
|--------------|------|-----------------|---------|----------------|
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | SENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |

**PLACE OF USE:** COMMERCIAL

[illegible]

**PLACE OF USE:** STOCKWATER

[illegible]

**WATER RIGHT NO. 36-16746**  
**As Modified by Transfer No. 66107**

**CONDITIONS OF APPROVAL**

1. Rights 36-16746 and 36-16748 when combined shall not exceed a total annual maximum diversion volume of 40.5 af.
2. 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.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 66107, 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.
5. 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.
6. The following rights are diverted through point(s) of diversion described above: 36-16744, 36-16746, 36-16748.
7. Commercial use is for a dairy.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 13<sup>th</sup> day of April, 20 09

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16747**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16747 is now described as follows.

**Right Holder:** MARIA A BETTENCOURT  
 181 W 400 N  
 JEROME ID 83338

And

LUIS M BETTENCOURT  
 2930 S 2300 E  
 WENDELL ID 83355

**Priority Date:** August 16, 1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.33 CFS              |

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

GROUND WATER                      NENWNE                      Sec. 23 Twp 07S    Rge 14E    GOODING 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 |        |
| 07S 14E 14  |    |    |      |    |    |    |      |    |    |    |    | 35.0 |    |    |    |    | 35.0   |
| 07S 14E 23  |    |    | 32.0 |    |    |    | 33.0 |    |    |    |    |      |    |    |    |    | 65.0   |

Total Acres: 100

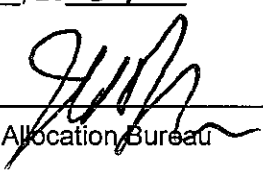
**WATER RIGHT NO. 36-16747**  
**As Modified by Transfer No. 66107**

**CONDITIONS OF APPROVAL**

1. Right 36-16745 is also diverted through point of diversion described above.
2. 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.
3. Use of this right with Right 36-16745 is limited to the irrigation of a combined total of 87.5 acres in a single irrigation season.
4. Use of this right with Right 36-16745 is limited to a total combined diversion volume of 360.5 af.
5. Use of this right is combined with water from North Side Canal Co. Ltd.
6. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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 13<sup>th</sup> day of April, 20 09

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16748**  
**As Modified by Transfer No. 66107**

In accordance with the approval of Transfer No. 66107, Water Right No. 36-16748 is now described as follows.

**Right Holder:** FRANK W VEENSTRA  
2675 S 1300 E  
HAGERMAN ID 83332

**Priority Date:** August 16, 1973

**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  | 0.05 CFS              | 40.5 AF       |
| STOCKWATER            | 01/01       | to 12/31  | 0.05 CFS              | 40.5 AF       |
|                       |             |           | 0.05 CFS              | 40.5 AF       |

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

|              |      |                 |         |                |
|--------------|------|-----------------|---------|----------------|
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | NENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |
| GROUND WATER | SENE | Sec. 23 Twp 07S | Rge 14E | GOODING County |

**PLACE OF USE:** COMMERCIAL

[illegible]

**PLACE OF USE:** STOCKWATER

[illegible]

**WATER RIGHT NO. 36-16748**  
**As Modified by Transfer No. 66107**

**CONDITIONS OF APPROVAL**

1. Rights 36-16746 and 36-16748 when combined shall not exceed a total annual maximum diversion volume of 40.5 af.
2. 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.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 66107, 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.
5. 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.
6. The following rights are diverted through point(s) of diversion described above: 36-16744, 36-16746, 36-16748.
7. Commercial use is for a dairy.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 13<sup>th</sup> day of April, 20 09

  
\_\_\_\_\_  
Chief, Water Allocation Bureau