

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73535

This is to certify that: LUIS M 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>
36-15678	WR/Decreed	03/26/1969	2.39 cfs	477.3 af	N/A	119.3	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>
36-15678	YES	YES	YES	NO	YES	YES

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<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>
36-7591E	WR/Decreed	12/29/1975	0.52 cfs	118 af	N/A	N/A	GROUND WATER
36-14595B	WR/Decreed	05/01/1978	0.1 cfs	14.8 af	N/A	N/A	GROUND WATER

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>
36-15678	36-16480	0.77 cfs	113.8 af	N/A	N/A	36-16479	1.39 cfs	277.2 af	N/A	69.3
COMBINED TOTALS		0.77 cfs	113.8 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of January, 20 08

Chief, Water Allocation Bureau

SCANNED
FEB 19 2008

SUPPORT DATA

IN FILE # 36-15678

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

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENE Sec. 22 Twp 07S Rge 16E JEROME County

GROUND WATER NESENE Sec. 22 Twp 07S Rge 16E JEROME County

PLACE OF USE: STOCKWATER

[illegible]

PLACE OF USE: COMMERCIAL

[illegible]

WATER RIGHT NO. 36-7591E
As Modified by Transfer No. 73535

CONDITIONS OF APPROVAL

1. Use of this right with right no. 36-14595B is limited to a total combined diversion rate of 0.52 cfs and to a total combined annual diversion volume of 132.8 af.
2. Right No. 36-14595B is an enlargement of this right pursuant to section 42-1426, Idaho code. Right No. 36-14595B is also diverted through points of diversion described above.
3. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

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 30th day of January, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16479
As Modified by Transfer No. 73535

In accordance with the approval of Transfer No. 73535, Water Right No. 36-16479 is now described as follows.

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

Priority Date: March 26, 1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	1.39 CFS	277.2 AF
			1.39 CFS	277.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESE Sec. 25 Twp 07S Rge 15E 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 15E 25	.3																.3
07S 16E 19											10.0	3.0					13.0
											L 4						
07S 16E 30					23.0	2.0	2.0	23.0		6.0							56.0
						L 1	L 2			L 3							

Total Acres: 69.3

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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.

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 30th day of January, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16480
As Modified by Transfer No. 73535

In accordance with the approval of Transfer No. 73535, Water Right No. 36-16480 is now described as follows.

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

Priority Date: March 26, 1969

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	0.77 CFS	113.8 AF
COMMERCIAL	01/01	to 12/31	0.77 CFS	113.8 AF
			0.77 CFS	113.8 AF

LOCATION OF POINT(S) OF DIVERSION:

LOCATION OF POINT(S) OF DIVERSION: GROUND WATER NESENE Sec. 22 Twp 07S Rge 16E JEROME County

GROUND WATER NESENE Sec. 22 Twp 07S Rge 16E JEROME County

PLACE OF USE: STOCKWATER

[illegible]

PLACE OF USE: COMMERCIAL

[illegible]

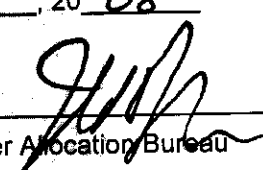
WATER RIGHT NO. 36-16480
As Modified by Transfer No. 73535

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. Prior to the diversion and use of water under Transfer approval 73535, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
3. 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.
4. Commercial use is for a dairy facility.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 30th day of January, 20 08



Chief, Water Allocation Bureau

[illegible]

WATER RIGHT NO. 36-14595B
As Modified by Transfer No. 73535

CONDITIONS OF APPROVAL

1. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
2. Use of this right with right No. 36-07591E is limited to a total combined diversion rate of 0.52 CFS and to a total combined annual diversion volume of 132.8 AF.
3. This right is based upon an enlargement of right No. 36-07591E pursuant to section 42-1426, Idaho code.
4. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to section 42-1426, Idaho code. As between water rights decreed as enlargements pursuant to section 42-1426, Idaho code, The earlier priority right is the superior right.
5. Right No. 36-07591E is also diverted through points of diversion described above.

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 30th day of January, 2008



Chief, Water Allocation Bureau