

DEV

RECEIVED
JUL 25 2007
DEPARTMENT OF
WATER RESOURCES

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 36-7460 (Per Deed)					
LIC 36-8351					
PD 36-10007					

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	David C. Sybesma Carol Sybesma 2950 S. 1600 E. Wendell, ID 83355
4. New Owner/Claimant(s)	Luis M. Bettencourt and Sharon Bettencourt Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	P. O. Box 587
City, State and ZIP Code	Jerome, ID 83338
New Telephone Number	(208) 536-6182

5. Date you acquired the property

July 11, 2007

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by AMB Date 7.25.07
 Received by AMB Date 7.25.07
 Processed by _____ AJ Date _____

Receipt Amt. 75.00
 Receipt No. C084635
 WR _____ Date _____

8/2/2007 10:11 AM
 10/11/2007 10:11 AM

Deanna Penke

G-36851

WARRANTY DEED

FOR VALUE RECEIVED,

DAVID C. SYBESMA, aka DAVE SYBESMA and CAROL A. SYBESMA, aka CAROL SYBESMA, husband and wife, hereinafter the "Grantor", do hereby grant, bargain, sell and convey unto **LUIS M. BETTENCOURT and SHARON BETTENCOURT**, husband and wife, whose address is 2930 S 2300 E, Wendell, ID 83355, hereinafter the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

PARCEL ONE:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT that portion deeded to the State of Idaho for a public highway, recorded in Book 28 Deeds, Page 412 as Instrument Number 67915, records of Gooding County, Idaho.

AND EXCEPT that portion deeded to the State of Idaho for a public highway, recorded in Book 28 of Deeds, Page 495, as Instrument Number 68154, records of Gooding County, Idaho.

ALSO EXCEPTING:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the East Quarter corner for Section 35; Thence South 89°51'12" West,

1,321.67 feet along the Northerly boundary of the SE $\frac{1}{4}$, Section 35, to the Northeast

corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; Thence South 0°00'35" West, 33.00 feet to the Southerly

boundary of the Hagerman Highway and the TRUE POINT OF BEGINNING;

Thence South 0°00'35" West, 894.13 feet along the Easterly boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence West 7.84 feet;

Thence North 28°24'01" West, 459.98 feet;

Thence North 46°01'52" West, 189.82 feet;

Thence North 29°34'06" West, 141.75 feet;

Thence North 51°08'49" West, 370.75 feet to the Southerly right-of-way for the Hagerman Highway;

Thence North 89°51'12" East, 722.07 feet along the said Southerly boundary to the

TRUE POINT OF BEGINNING.

PARCEL TWO:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the East Quarter corner for Section 35; Thence South 89°51'12" West, 1,321.67 feet along the Northerly boundary of the SE $\frac{1}{4}$, Section 35, to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; Thence South 0°00'35" West, 33.00 feet to the Southerly boundary of the Hagerman Highway and the TRUE POINT OF BEGINNING;
Thence South 0°00'35" West, 894.13 feet along the Easterly boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 7.84 feet;
Thence North 28°24'01" West, 459.98 feet;
Thence North 46°01'52" West, 189.82 feet;
Thence North 29°34'06" West, 141.75 feet;
Thence North 51°08'49" West, 370.75 feet to the Southerly right-of-way for the Hagerman Highway;
Thence North 89°51'12" East, 722.07 feet along the said Southerly boundary to the TRUE POINT OF BEGINNING.

PARCEL THREE:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35:  NE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPT a strip of land 33 feet wide for Highway purposes as conveyed to State of Idaho by Deed, dated July 7, 1937 recorded July 9, 1937 in Book 28 Deeds Page 495.

Together with all water rights appurtenant thereto, including but not limited to the following:

Water Right License No. 36-08351
IDWR Water Right No. 36-07640
IDWR Water Right No. 36-36-10007,

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that they are the owners of said premises: that they will warrant and defend the

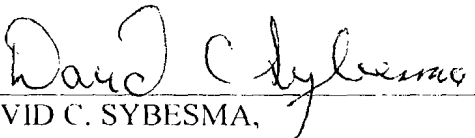
same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2007 and subsequent years, a lien, but not yet due or payable.
2. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
3. Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.
4. Pole Line Easement given by Bruce K. Arthur and Agnes Arthur to the Great Shoshone & Twin Falls Water Power Company, a corporation, dated January 6, 1914, recorded February 6, 1914, in Book 1 Page 220 as Instrument Number 1994, Gooding County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, Township 7 South, Range 14, East Boise Meridian.
5. Conditions and restrictions contained in Right of Way Deed given by Idaho Farms Company to Twin Falls North Side Land and Water Company dated January 8, 1937, recorded June 11, 1937 in Book 28 page 412 as Instrument Number 67915, Gooding County records, pertaining to property adjacent to highway right of way located on a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 35, Township 7 South, Range 14, East Boise Meridian.
6. Restrictions and conditions of Right of Way Deed given by G. D. MacQuivey and Audrey Rose MacQuivey, husband and wife, and William West, a single man, to the State of Idaho, dated July 7, 1937, recorded July 9, 1937 in Book 28 page 495 as Instrument Number 68154, Gooding County records, affecting a portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, Township 7 South, Range 14, East Boise Meridian.
7. Underground Power Line Easement given by Paul L. Borchard and Kathleen Borchard, husband and wife, to Idaho Power Company, a corporation, dated March 16, 1982, recorded August 4, 1982 as Instrument Number 96288, Gooding County records, affecting a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 7 South, Range 14, East Boise Meridian.
8. Power Line Easement given by Rick TenCate and Patricia TenCate, husband and wife, to Idaho Power Company, a corporation, dated November 17, 1981, recorded March 23, 1982 as Instrument Number 94117, Gooding County records, affecting a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 7 South, Range 14, East Boise Meridian.
9. Subject to an electrical easement across the Southerly portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 7 South, Range 14 East, Boise Meridian, as set forth in Warranty

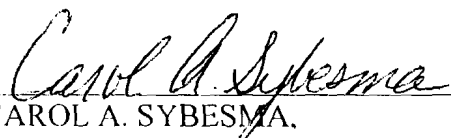
Deed dated July 27, 1988, recorded August 16, 1988 as Instrument No. 133211, records of Gooding County, Idaho.

10. Order of the Board of Directors of the North Snake Ground Water District dated June 18, 2002, recorded July 18, 2002 as Instrument No. 196111, records of Gooding County, Idaho.

DATED THIS 11th day of July, 2007.



DAVID C. SYBESMA,
aka DAVE SYBESMA

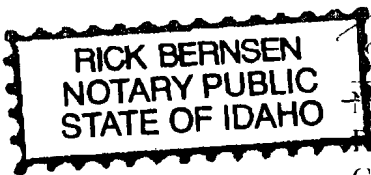


CAROL A. SYBESMA,
aka CAROL SYBESMA

STATE OF IDAHO)
 ss:
County of Jerome)

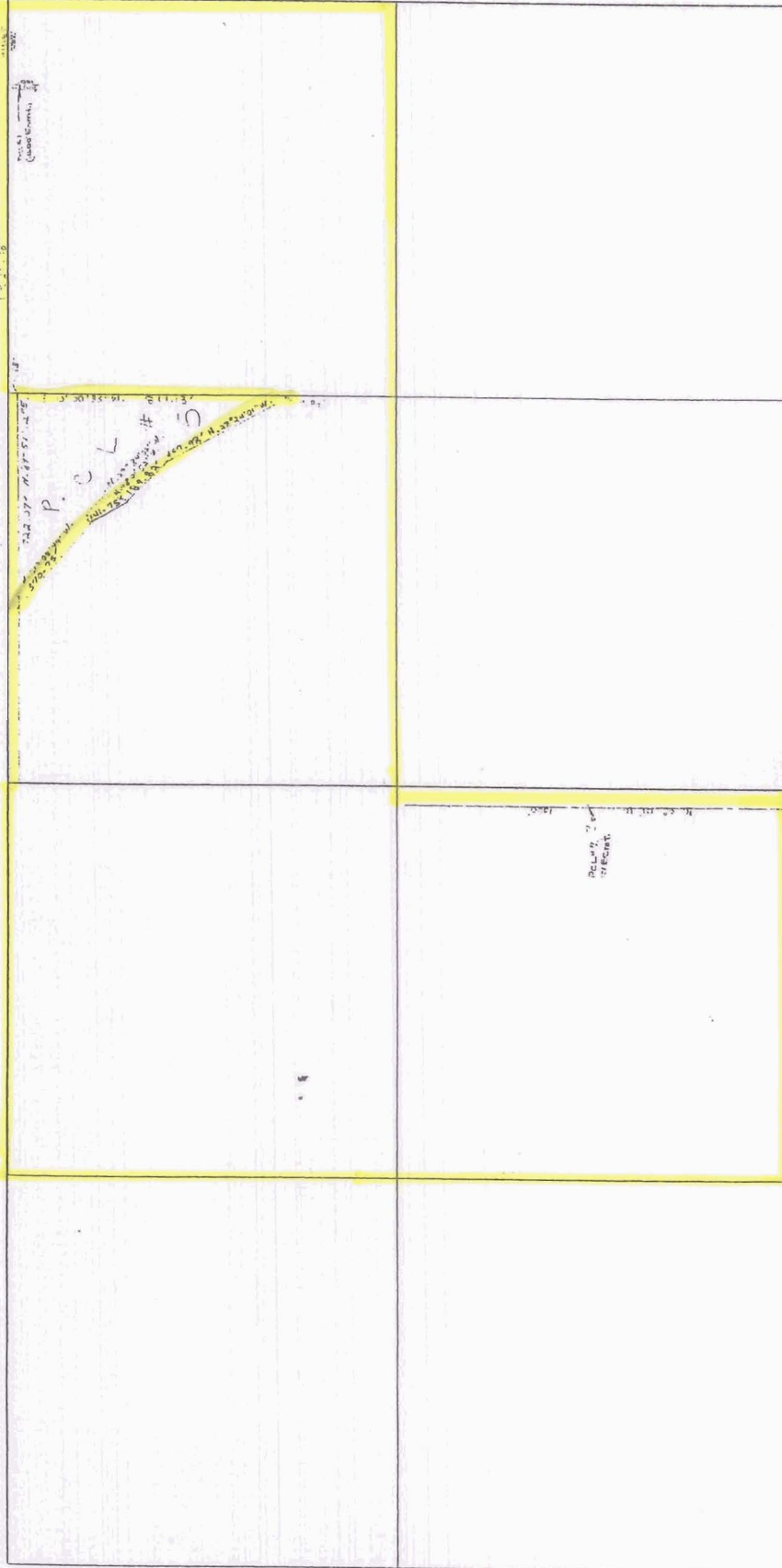
On this 11th day of July, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAVID C. SYBESMA, aka DAVE SYBESMA and CAROL A. SYBESMA, aka CAROL SYBESMA, husband and wife, known to me to be such persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 7-30-09

SOUTH HALF



This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey

SCANNED
AUG 22 2007