

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72648

This is to certify that: LUIS M BETTENCOURT And
 SHARON L BETTENCOURT
 PO BOX 587
 JEROME ID 83338
 (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>
47-2540	AJC/License	03/06/1951	1.30 cfs	268.0 af	67.0	256.0	GROUND WATER
47-17285	AJC/License	12/13/1943	1.26 cfs	365.6 af	91.4	232.5	GROUND WATER
47-17287	AJC/License	05/31/1947	0.47 cfs	199.3 af	76.3	232.5	GROUND WATER
47-17289	AJC/Beneficial Use	03/15/1956	1.73 cfs	374.0 af	N/A	93.5	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>
47-2540	NO	NO	YES	YES	NO	NO
47-17285	NO	YES	YES	NO	NO	NO
47-17287	NO	YES	YES	NO	NO	NO
47-17289	NO	YES	YES	NO	NO	NO

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>
47-2540	47-2540	1.18 cfs	243.2 af	60.8	232.5		N/A	N/A	N/A	N/A
47-17285	47-17285	1.26 cfs	365.6 af	91.4	232.5		N/A	N/A	N/A	N/A
47-17287	47-17287	0.47 cfs	199.3 af	76.3	232.5		N/A	N/A	N/A	N/A
47-17289	47-17289	1.73 cfs	374.0 af	93.5	232.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.64 cfs	930.0 af	232.5	232.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of June, 20 06

SUPPORT DATA

IN FILE # 47-2540


 Chief, Water Allocation Bureau

WATER RIGHT NO. 47-17285
As Modified by Transfer No. 72648

In accordance with the approval of Transfer No. 72648, Water Right No. 47-17285 is now described as follows.

Right Holder: LUIS M BETTENCOURT And
 SHARON L BETTENCOURT
 PO BOX 587
 JEROME ID 83338

Priority Date: December 13, 1943

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.26 CFS	365.6 AF
		1.26 CFS	365.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWNE	Sec. 31 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SWSWNE	Sec. 31 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SESWSE	Sec. 31 Twp 11S	Rge 19E	TWIN FALLS County
GROUND WATER	SESESE	Sec. 31 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 31	40.0	39.3	36.9	39.2											38.7	38.4	232.5

Total Acres: 232.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 91.4 acres within the place of use described above in a single irrigation season.
2. Rights 47-2540, 47-17285, 47-17287, and 47-17289 when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 930 af at the field headgate, and the irrigation of 232.5 acres.
3. Rights 47-2496B, 47-7529, 47-17285, 47-17286, 47-17287, and 47-17288 when combined shall not exceed a total diversion volume of 1009.9 af.
4. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, 47-2540, 47-7529, 47-17285, 47-17287, and 47-17289 when combined shall not exceed the irrigation of 232.5 acres.
5. 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.

WATER RIGHT NO. 47-17285
As Modified by Transfer No. 72648

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 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 10/31 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.
9. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12th day of June, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 47-17287
As Modified by Transfer No. 72648

In accordance with the approval of Transfer No. 72648, Water Right No. 47-17287 is now described as follows.

Right Holder: LUIS M BETTENCOURT And
 SHARON L BETTENCOURT
 PO BOX 587
 JEROME ID 83338

Priority Date: May 31, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.47 CFS	199.3 AF
		0.47 CFS	199.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWNE	Sec. 31 Twp 11S Rge 19E	TWIN FALLS County
GROUND WATER	SWSWNE	Sec. 31 Twp 11S Rge 19E	TWIN FALLS County
GROUND WATER	SESWSE	Sec. 31 Twp 11S Rge 19E	TWIN FALLS County
GROUND WATER	SESESE	Sec. 31 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 31	40.0	39.3	36.9	39.2									38.7	38.4			232.5

Total Acres: 232.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76.3 acres within the place of use described above in a single irrigation season.
2. Rights 47-2540, 47-17285, 47-17287, and 47-17289 when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 930 af at the field headgate, and the irrigation of 232.5 acres.
3. Rights 47-2496B, 47-7529, 47-17285, 47-17286, 47-17287, and 47-17288 when combined shall not exceed a total diversion volume of 1009.9 af.
4. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, 47-2540, 47-7529, 47-17285, 47-17287, and 47-17289 when combined shall not exceed the irrigation of 232.5 acres.
5. 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.

WATER RIGHT NO. 47-17287
As Modified by Transfer No. 72648

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 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 10/31 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.
9. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12th day of June, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 47-17289
As Modified by Transfer No. 72648

In accordance with the approval of Transfer No. 72648, Water Right No. 47-17289 is now described as follows.

Right Holder: SHARON L BETTENCOURT And
 LUIS M BETTENCOURT
 PO BOX 587
 JEROME ID 83338

Priority Date: March 15, 1956

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	1.73 CFS	374.0 AF
		1.73 CFS	374.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWNE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SWSWNE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SESWSE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SESESE	Sec. 31 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 31	40.0	39.3	36.9	39.2									38.7	38.4			232.5

Total Acres: 232.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.5 acres within the place of use described above in a single irrigation season.
2. Rights 47-2540, 47-17285, 47-17287, and 47-17289 when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 930 af at the field headgate, and the irrigation of 232.5 acres.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, 47-2540, 47-7529, 47-17285, 47-17287, and 47-17289 when combined shall not exceed the irrigation of 232.5 acres.
4. 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.

WATER RIGHT NO. 47-17289
As Modified by Transfer No. 72648

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12th day of June, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 47-2540
As Modified by Transfer No. 72648

In accordance with the approval of Transfer No. 72648, Water Right No. 47-2540 is now described as follows.

Right Holder: LUIS M BETTENCOURT And
 SHARON L BETTENCOURT
 PO BOX 587
 JEROME ID 83338

Priority Date: March 06, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.18 CFS	243.2 AF
		1.18 CFS	243.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWNE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SWSWNE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SESWSE	Sec. 31 Twp 11S Rge 19E TWIN FALLS County
GROUND WATER	SESESE	Sec. 31 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 31	40.0	39.3	36.9	39.2										38.7	38.4		232.5

Total Acres: 232.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60.8 acres within the place of use described above in a single irrigation season.
2. Rights 47-2540, 47-17285, 47-17287, and 47-17289 when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 930 af at the field headgate, and the irrigation of 232.5 acres.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, 47-2540, 47-7529, 47-17285, 47-17287, and 47-17289 when combined shall not exceed the irrigation of 232.5 acres.
4. 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.

WATER RIGHT NO. 47-2540
As Modified by Transfer No. 72648

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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 10/31 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.
8. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
12. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the 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 12th day of June, 2006


Chief, Water Allocation Bureau