

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71767**

This is to certify that: LUIS M BETTENCOURT

PO BOX 587
JEROME ID 83338
(208)536-6148

And

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338
(208)536-6148

have 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>
47-127C	AJC/Decreed	05/01/1878	1.10 cfs	236 af	59.0	256.0	ROCK CREEK
47-175	AJC/Decreed	01/01/1918	0.40 cfs	169 af	160.0	256.0	ROCK CREEK
47-176	AJC/Decreed	09/23/1929	1.60 cfs	640 af	160.0	256.0	ROCK CREEK
47-187	AJC/Decreed	06/29/1911	2.50 cfs	640 af	160.0	256.0	ROCK CREEK
47-188	AJC/Decreed	11/29/1918	1.17 cfs	494.3 af	160.0	256.0	ROCK CREEK
47-7529	AJC/License	12/01/1967	3.98 cfs	607 af	N/A	199.0	ROCK CREEK

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>
47-127C	NO	NO	YES	NO	NO	NO
47-175	NO	NO	YES	NO	NO	NO
47-176	NO	NO	YES	NO	NO	NO
47-187	NO	NO	YES	NO	NO	NO
47-188	NO	NO	YES	NO	NO	NO
47-7529	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 47-127C

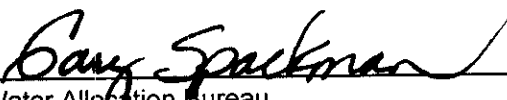
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71767

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-127C	47-127C	1.00 cfs	214.3 af	53.6	232.5		N/A	N/A	N/A	N/A
47-175	47-175	0.36 cfs	152.6 af	145.3	232.5		N/A	N/A	N/A	N/A
47-176	47-176	1.45 cfs	581.3 af	145.3	232.5		N/A	N/A	N/A	N/A
47-187	47-187	2.27 cfs	581.3 af	145.3	232.5		N/A	N/A	N/A	N/A
47-188	47-188	1.06 cfs	448.9 af	145.3	232.5		N/A	N/A	N/A	N/A
47-7529	47-7529	3.61 cfs	551.3 af	180.7	232.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		9.75 cfs	1695.6 af	232.5	232.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of June, 20 06



Chief, Water Allocation Bureau

1. This right is limited to the irrigation of 53.6 acres within the place of use described above in a single irrigation season.
2. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, 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. 47-127C
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

5. 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. 47-O.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. This right does not grant any right-of-way or easement across the land of another.
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. 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 the water right(s) 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 8th day of June, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 47-175
As Modified by Transfer No. 71767

In accordance with the approval of Transfer No. 71767, Water Right No. 47-175 is now described as follows.

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

And

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338

Priority Date: January 01, 1918

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.36 CFS	152.6 AF
			0.36 CFS	152.6 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK SWSWSW Sec. 1 Twp 12S Rge 18E 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. Rights 47-175 and 45-176 when combined shall not exceed the irrigation of 145.3 acres.
2. Rights 47-175, 47-176, 47-187, and 47-188, when combined shall not exceed a total annual maximum diversion volume of 930.0 af.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, and the irrigation of 232.5 acres.
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.

WATER RIGHT NO. 47-175
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

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.
6. 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. 47-O.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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 the water right(s) in the ongoing Snake River Basin Adjudication.
13. 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 8th day of June, 20 06


Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-176
As Modified by Transfer No. 71767**

In accordance with the approval of Transfer No. 71767, Water Right No. 47-176 is now described as follows.

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

And

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338

Priority Date: September 23, 1929

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.45 CFS	581.3 AF
			1.45 CFS	581.3 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK SWSWSW Sec. 1 Twp 12S Rge 18E 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					
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. Rights 47-175 and 45-176 when combined shall not exceed the irrigation of 145.3 acres.
2. Rights 47-175, 47-176, 47-187, and 47-188, when combined shall not exceed a total annual maximum diversion volume of 930.0 af.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, and the irrigation of 232.5 acres.
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.

WATER RIGHT NO. 47-176
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

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.
6. 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. 47-O.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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 the water right(s) in the ongoing Snake River Basin Adjudication.
13. 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 8th day of June, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 47-187
As Modified by Transfer No. 71767

In accordance with the approval of Transfer No. 71767, Water Right No. 47-187 is now described as follows.

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

And

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338

Priority Date: June 29, 1911

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.27 CFS	581.3 AF
			2.27 CFS	581.3 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK SWSWSW Sec. 1 Twp 12S Rge 18E 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 145.3 acres within the place of use described above in a single irrigation season.
2. Rights 47-175, 47-176, 47-187, and 47-188, when combined shall not exceed a total annual maximum diversion volume of 930.0 af.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, and the irrigation of 232.5 acres.
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.

WATER RIGHT NO. 47-187
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

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.
6. 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. 47-O.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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 the water right(s) in the ongoing Snake River Basin Adjudication.
13. 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 8th day of June, 20 06


Chief, Water Allocation Bureau

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

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338

Tributary: SNAKE RIVER

LOCATION OF POINT(S) OF DISCREPANCY
 ROCK CREEK SWSWSW Sec. 1 Twp 12S Rge 18E TWIN FALLS
 County

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>	
11S	19E	31	40.0	39.3	36.9	39.2										38.7	38.4		232.5

1. This right is limited to the irrigation of 145.3 acres within the place of use described above in a single irrigation season.
2. Rights 47-175, 47-176, 47-187, and 47-188, when combined shall not exceed a total annual maximum diversion volume of 930.0 af.
3. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, and the irrigation of 232.5 acres.
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.

WATER RIGHT NO. 47-188
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

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.
6. 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. 47-O.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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 the water right(s) in the ongoing Snake River Basin Adjudication.
13. 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 8th day of June, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 47-7529
As Modified by Transfer No. 71767

In accordance with the approval of Transfer No. 71767, Water Right No. 47-7529 is now described as follows.

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

And

SHARON L BETTENCOURT
PO BOX 587
JEROME ID 83338

Priority Date: December 01, 1967

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	04/01	3.61 CFS	121.7 AF
IRRIGATION	10/01 to	11/30	3.61 CFS	429.6 AF
			3.61 CFS	551.3 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK SWSWSW Sec. 1 Twp 12S Rge 18E 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 180.7 acres within the place of use described above in a single irrigation season.
2. Rights 47-127C, 47-175, 47-176, 47-187, 47-188, and 47-7529 when combined shall not exceed a total diversion rate of 9.75 cfs, a total annual maximum diversion volume of 1695.6 af, 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.

WATER RIGHT NO. 47-7529
As Modified by Transfer No. 71767

CONDITIONS OF APPROVAL

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.
6. 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. 47-O.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. This right does not grant any right-of-way or easement across the land of another.
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 the water right(s) 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 8th day of June, 20 06


Chief, Water Allocation Bureau