

SOUTH  
HALF



Pct# 19-A  
15' x 15' x 15'  
x 15'

MICROFILMED  
JUN 10 2004

Scale 1"=400'

"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."

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

RECEIVED  
 FEB 05 2004  
 DEPARTMENT OF WATER RESOURCES

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 division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 36-14288              | 36-14288                     | ___   | _____                 | _____                        | ___   |
| _____                 | _____                        | ___   | _____                 | _____                        | ___   |
| _____                 | _____                        | ___   | _____                 | _____                        | ___   |
| _____                 | _____                        | ___   | _____                 | _____                        | ___   |
| _____                 | _____                        | ___   | _____                 | _____                        | ___   |

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 usually attached to your deed or on file with the county).

**OR**

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 **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) JAN GANGUET TERRY GANGUET  
354 WEST RD  
JEROME ID 83338
4. New Owner/Claimant(s) LUIS M. BETTENCOURT SHARON BETTENCOURT  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or  
PO BOX 587  
 New Mailing Address \_\_\_\_\_  
 City, State and ZIP Code JEROME ID 83338  
 New Telephone Number (208) 536-6148
5. Date you acquired the property 2/2/04

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

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

7. Signature of New Owner(s) or Claimant(s) X *[Signature]*  
(include title if applicable) \_\_\_\_\_

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.

|                                       |                    |                            |            |
|---------------------------------------|--------------------|----------------------------|------------|
| <b>For Office Use Only</b>            |                    |                            |            |
| Received by <u><i>[Signature]</i></u> | Date <u>2-5-04</u> | Fee <u>\$25.00</u>         |            |
| Received by <u><i>[Signature]</i></u> | Date <u>2-6-04</u> | Receipt No. <u>C072574</u> |            |
| Processed by _____ AJ                 | Date _____         | WR _____                   | Date _____ |

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MAR 10 2004

**COPY**

Instrument # 2040608

JEROME COUNTY, JEROME, IDAHO

2004-02-02 04:15:12 No. of Pages: 3

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 9.00

Ex-Officio Recorder Deputy

*Bunch*

J-32907

**WARRANTY DEED**

FOR VALUE RECEIVED,

**TERRY GANGUET and JAN GANGUET**, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto **LUIS M. BETTENCOURT and SHARON BETTENCOURT**, whose address is Post Office Box 587, Jerome, Idaho 83338, the "Grantees", the following described premises located in Jerome County, Idaho, to wit:

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 16: S $\frac{1}{2}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; That part of the S $\frac{1}{2}$ SE $\frac{1}{4}$  lying West  
of the S-14 ditch of the North Side Canal Co.

EXCEPT that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , described as follows:

Beginning at the Southwest corner of Section 16;  
Thence North 0°01'06" West, 33.00 feet along the Westerly boundary  
of said Section to THE TRUE POINT OF BEGINNING;  
Thence South 89°43' East, 490.58 feet along a highway right of way;  
Thence North 26°50'37" West, 171.72 feet;  
Thence North 44°14'51" West, 120.47 feet;  
Thence South 87°57'54" West, 89.03 feet;  
Thence South 72°09'44" West, 162.32 feet;  
Thence South 62°30'11" West, 68.24 feet;  
Thence North 88°06'40" West, 25.00 feet to the Westerly boundary  
of Section 16;  
Thence South 0°01'06" East, 153.52 feet along the Westerly  
boundary of Section 16 to THE TRUE POINT OF BEGINNING.

Together with all water rights appurtenant thereto, including but not limited  
to 133.2 shares of North Side Canal Company stock and Water Right No. 36-14288.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the  
said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant  
to and with the said Grantees, 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:

*M. Bunch*

MAR 10 2004

1. 2004 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.
2. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
3. Right of Way Easement given by North Pacific Mortgage Company to the State of Idaho, dated February 13, 1930, recorded August 16, 1930 in Book 102 of Deeds Page 23 as Instrument Number 45002, Jerome County records, affecting the SW $\frac{1}{2}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 16, Township 8 South, Range 16, East Boise Meridian.
4. Power Line Easement given by North Pacific Mortgage Company to Idaho Power Company, dated June 5, 1937, recorded August 14, 1937 in Book 110 Page 352 as Instrument Number 67649, Jerome County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 16, Township 8 South, Range 16, East Boise Meridian.
5. Terms and conditions of an Agreement by and between Frank Ward and Alta L. Ward, husband and wife, and Will F. Gross and Lissie Gross, husband and wife, dated December 2, 1944, recorded August 30, 1946 in Book 130 Page 439 as Instrument Number 97140, Jerome County records, pertaining to a pump and pipe line for the use of irrigation over the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 21, Township 8 South, Range 16, EBM and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 16, Township 8 South, Range 16, EBM.
6. Reservation contained in State of Idaho Patent given by the State of Idaho to V. L. and M. S. Derby dated September 10, 1946, recorded October 8, 1946 in Book 135 Page 270 as Instrument Number 97404, Jerome County records, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, and reserving to the state all mineral rights, affecting the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16, Township 8 South, Range 16, Township 8 South, Range 16, East Boise Meridian.

//  
//  
//  
//

Noted  
10/10/2004

DATED THIS 2<sup>nd</sup> day of February, 2004.

Terry Ganguet  
TERRY GANGUET

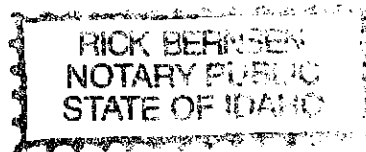
Jan Ganguet  
JAN GANGUET

STATE OF IDAHO           )  
                                  )ss.  
County of Jerome        )

On this 2<sup>nd</sup> day of February, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TERRY GANGUET and JAN GANGUET, husband and wife, known to me to be the 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.

[Signature]  
NOTARY PUBLIC for Idaho  
Residing at: Jerome  
Commission Expires: 7-30-09



Micro...

APR 10 2004



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 36-14288

1996 DEC 10 PM 2:54

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: JAN GANGUET  
TERRY GANGUET  
354 WEST RD  
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 05/01/1920

POINT OF DIVERSION: T08S R16E S16 SWSW Within JEROME County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE | QUANTITY |
|-------------------------------|------------------|---------------|----------|
|                               | STOCKWATER       | 01-01 12-31   | 0.02 CFS |
|                               | DOMESTIC 2 HOMES | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: STOCKWATER Within JEROME County  
T08S R16E S16 SWSW

DOMESTIC Within JEROME County  
T08S R16E S16 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC 10 1996



DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: DEC 10 1996



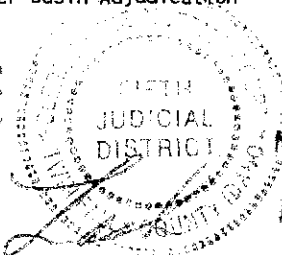
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 36-14288

State of Idaho  
County of Twin Falls  
I hereby certify the foregoing to be a  
full, true and correct copy of the  
original on file in the above entitled  
action.

ROBERT S. FORT  
CLERK OF THE DISTRICT COURT

By \_\_\_\_\_  
DEPUTY CLERK



PAGE 1  
NOV-26-1996

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MAR 10 2004



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

February 05, 2004

LUIS M BETTENCOURT  
SHARON L BETTENCOURT  
PO BOX 587  
JEROME ID 83338

RE: Change of Ownership for Water Right 36-14288

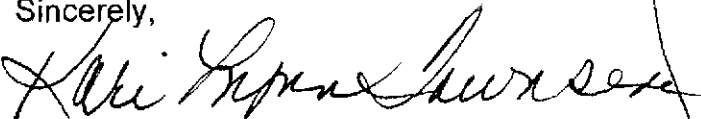
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

*for*   
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

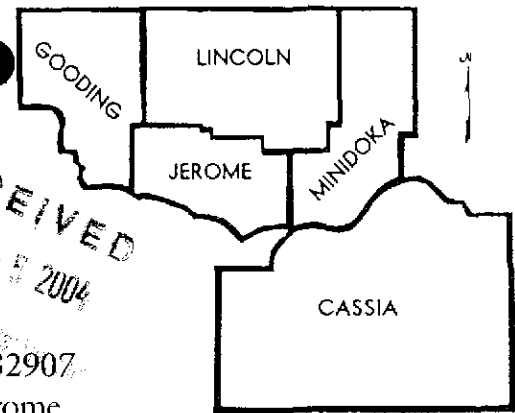
Enclosure

cc: Land Title & Escrow, Inc. (Ref. # J-32907)  
Laury Lamb  
PO Box 349  
Jerome, ID 83338

MAR 16 2004

# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-32907  
OFFICE: Jerome

February 4, 2004

I.D.W.R.  
Kari Lynn Townsend  
1301 N. Orchard  
Boise, ID 83706-2237

RE: Water Right No. 36-14288  
Terry Ganguet/Luis M. Bettencourt

Dear Kari Lynn:

Enclosed please find the original Notice of Change in Water Right Ownership along with Land Title and Escrow, Inc. check no. 25061 in the amount of \$25.00. Also enclosed is a copy of the Warranty Deed, Instrument #2040608, Jerome County, Idaho and a plat map.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,

LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Laury Lamb".

Laury Lamb  
Escrow Assistant

encs.

MINIDOKA, IDAHO  
FEB 10 2004