

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

RECEIVED

MAY 27 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 |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>36-14595A</u>      | _____                        | _____ | _____                 | _____                        | _____ |
| <u>36-14595B</u>      | _____                        | _____ | _____                 | _____                        | _____ |
| <u>36-07591D</u>      | _____                        | _____ | _____                 | _____                        | _____ |
| <u>36-07591E</u>      | _____                        | _____ | _____                 | _____                        | _____ |
| _____                 | _____                        | _____ | _____                 | _____                        | _____ |

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) Doug Benson  
615 South 25 Mile  
Herford, TX 79045
4. New Owner/Claimant(s) Luis M. Bettencourt Sharon L. 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 ( ) \_\_\_\_\_
5. Date you acquired the property 4/29/04

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 _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| 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 _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

*James H. Peterson*

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>AM</u>      | Date <u>5/27/04</u> | Fee <u>\$100.00 (#25<sup>00</sup> EACH)</u> |            |
| Received by <u>AM</u>      | Date <u>5/27/04</u> | Receipt No. <u>CD74004</u>                  |            |
| Processed by _____ AJ      | Date _____          | WR _____                                    | Date _____ |

RECEIVED

MAY 27 2004

#J-33024

# WARRANTY DEED

Instrument # 2042350  
Department of Water Resources  
JEROME COUNTY, JEROME, IDAHO  
2004-04-29 02:11:19 No. of Pages: 3  
Recorded for : LAND TITLE & ESCROW  
CHERYL WATTS Fee: 9.00  
Ex-Officio Recorder Deputy *Cheryl Watts*

For Value Received

**DOUG M. BENSON , also known as DOUGLAS M. BENSON, a married man, contracting with sole and separate property**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**LUIS M. BETTENCOURT and SHARON L. BETTENCOURT, husband and wife**  
**Address: P.O. BOX 587, JEROME, ID 83338**

Hereinafter called the Grantee, the following described premises situated in **JEROME** County, Idaho, to-wit:

SEE EXHIBIT 'A' ATTACHED HERETO:

## SUBJECT TO:

All reservations in patents or deeds in the chain of title.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 700.46 shares of the North Side Canal Company Water shares.**

and Water Rights #'s ~~R36-14595A, R36-07591D, X36-07591D, X36-14595A, X36-07591E~~ & 36-14595B

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 22, 2004

*D. M. Benson*  
DOUG M. BENSON

STATE OF TEXAS

COUNTY OF *Deaf Smith* ) ss.

On this *26th* day of April, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared DOUG M. BENSON, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

*Christie Lynn Prisk*  
Notary Public  
Residing at: *714 E 15th Newford TX 79045*  
My Commission expires: *10-22-05*

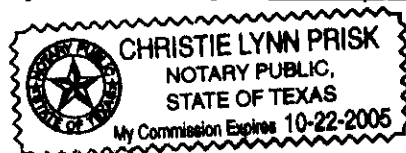


**EXHIBIT A**

**TRACT I:**

**PARCEL NO. 1**

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Section 15: S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Section 21: S $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ , EXCEPTING THEREFROM that portion lying South of the centerline of the North Side Canal Company "W" Canal, more particularly described as follows:

Commencing at the Northwest corner of the said N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Thence South 0°07'58" East, 562.38 feet along the Westerly boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$  to the center of the North Side Canal Company "W" Canal and  
THE TRUE POINT OF BEGINNING;  
Thence South 0°07'58" East, 758.11 feet to the Southwest corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Thence South 89°41'11" East, 2643.72 feet to the Southeast corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$  and the center of said "W" Canal;  
Thence Westerly along the approximate center of said "W" Canal the following courses and distances:  
North 26°10'12" West, 237.37 feet;  
Thence North 44°56'58" West, 199.28 feet;  
Thence South 52°21'52" West, 240.71 feet;  
Thence North 67°19'08" West, 646.97 feet;  
Thence North 87°18'51" West, 178.79 feet;  
Thence North 64°23'23" West, 203.61 feet;  
Thence South 73°01'14" West, 419.96 feet;  
Thence North 62°58'56" West, 335.62 feet;  
Thence North 71°13'41" West, 561.62 feet to THE TRUE POINT OF BEGINNING.

Section 22: E $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Section 23: W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

**PARCEL NO. 2**

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Section 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

**PARCEL NO. 3**

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

## CONTINUATION

### EXHIBIT A

PARCEL NO. 3 Continued-

Section 23:  $N\frac{1}{2}NE\frac{1}{4}$ ;  $SE\frac{1}{4}NE\frac{1}{4}$ ;  $NE\frac{1}{4}NW\frac{1}{4}$ ;

Section 23:  $SW\frac{1}{4}NE\frac{1}{4}$ ;

That part of the  $SE\frac{1}{4}NW\frac{1}{4}$  Lying North and East of the "X" Canal of the North Side Canal Co., Ltd.

That part of the  $NE\frac{1}{4}SW\frac{1}{4}$  lying North and East of the "X" Canal of the North Side Canal Co., Ltd.

A tract of land lying in the  $NW\frac{1}{4}SE\frac{1}{4}$ , more particularly described as follows:

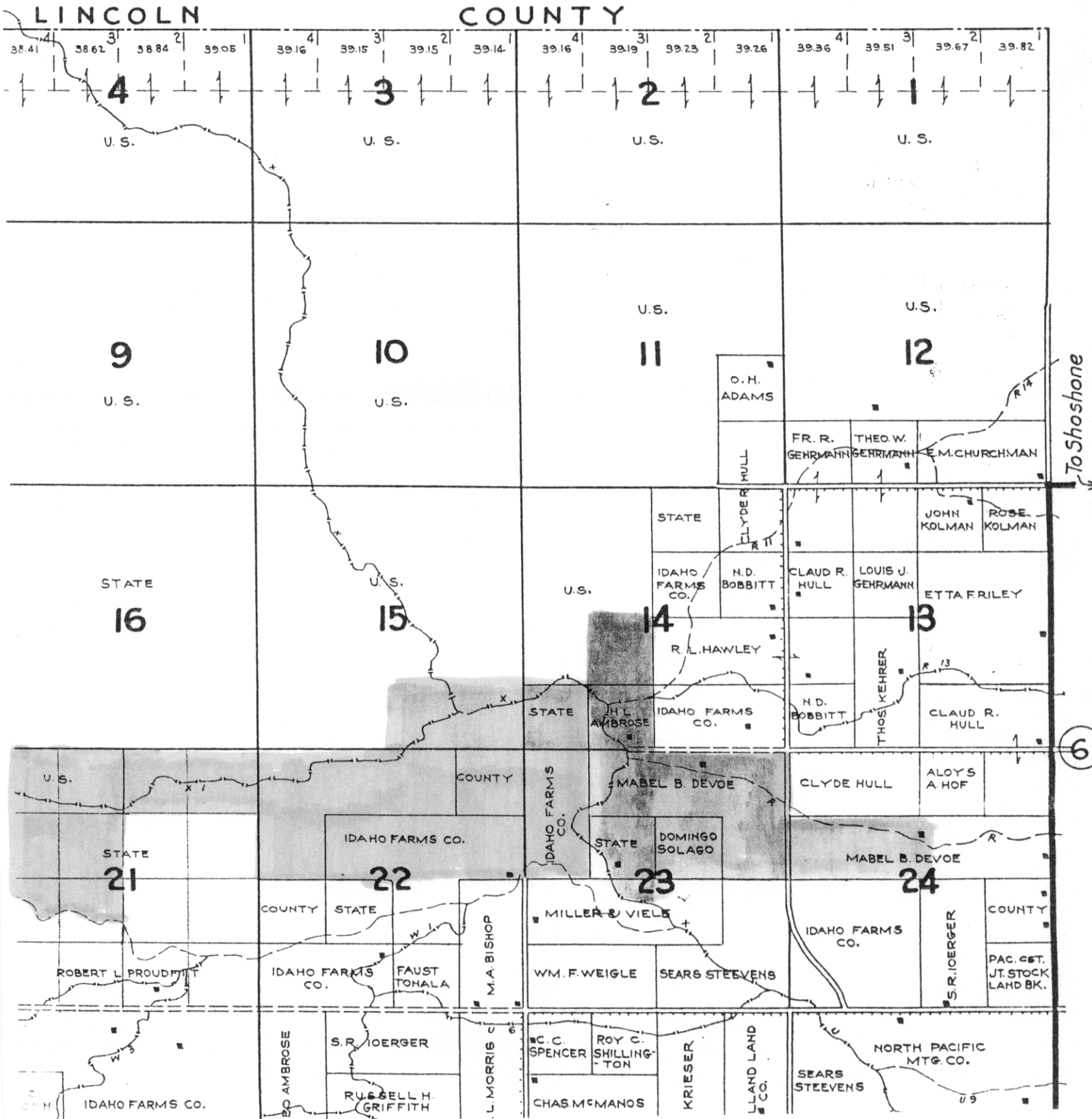
Beginning at the Northeast corner of the  $NW\frac{1}{4}SE\frac{1}{4}$  of Section 23;  
Thence along the North boundary Westerly for a distance of 25 feet, which is THE  
TRUE POINT OF BEGINNING;  
Thence North  $89^{\circ}38'$  West for a distance of 1,295 feet, more or less, to the  
Northwest corner of said  $NW\frac{1}{4}SE\frac{1}{4}$ ;  
Thence South  $0^{\circ}2'$  East for a distance of 309.4 feet;  
Thence South  $36^{\circ}29'$  East for a distance of 242.8 feet;  
Thence North  $60^{\circ}02'$  East for a distance of 740.6 feet;  
Thence North  $89^{\circ}08'$  East for a distance of 508.9 feet;  
Thence North  $0^{\circ}02'$  West for a distance of approximately 121.5 feet to THE  
TRUE POINT OF BEGINNING;

Section 24:  $S\frac{1}{2}NW\frac{1}{4}$ ;

END OF EXHIBIT A

# TOWNSHIP 7 S., RANGE 16 E. B. M.

## JEROME COUNTY, IDAHO



JEROME

COUNTY

SEC.

23

TWP

7

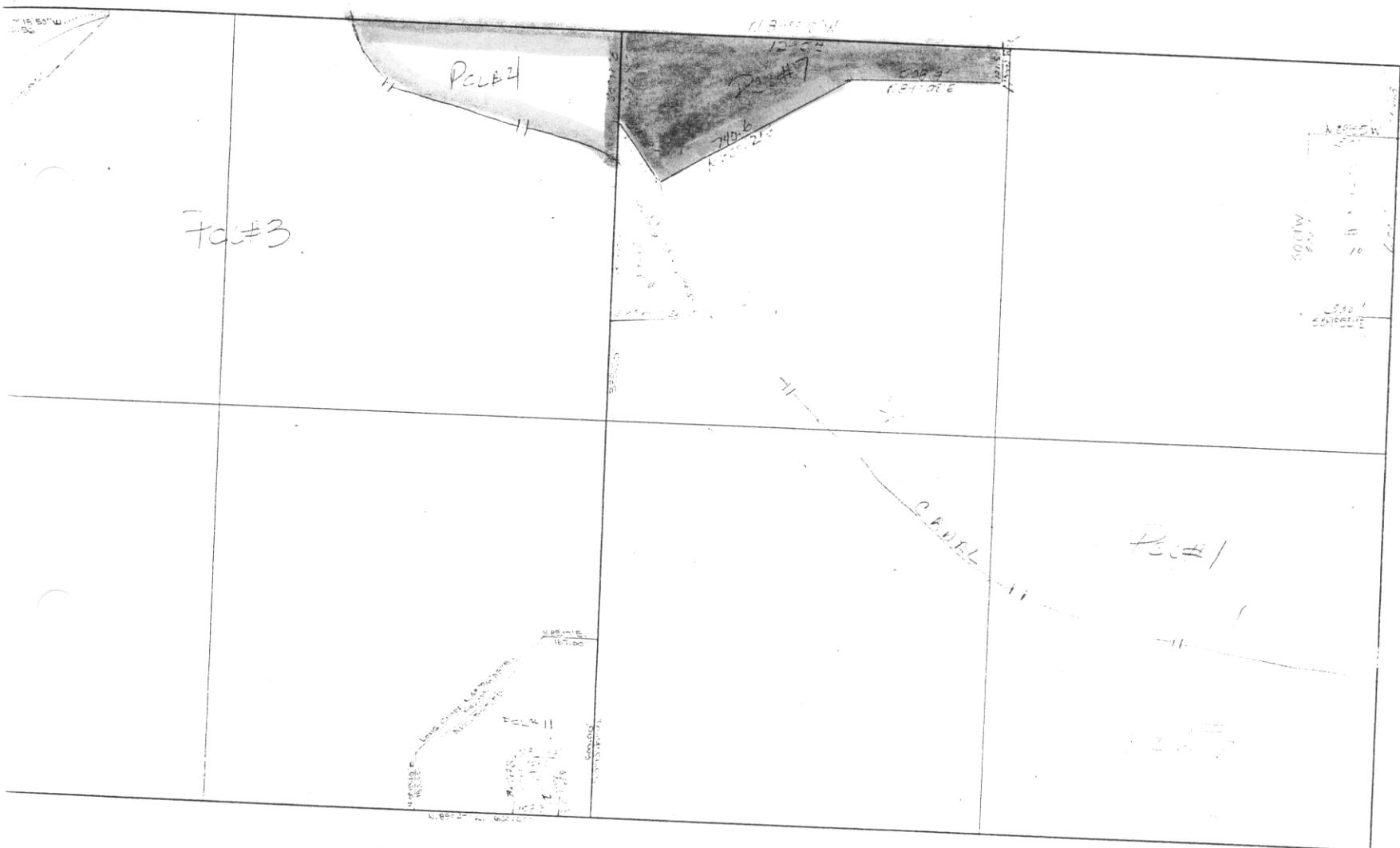
S

RGE

16

EBM.

SOUTH HALF



POOR QUALITY ORIGINAL

550203

SCALE 1"=400'

"This plan 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."

SOUTH  
HALF

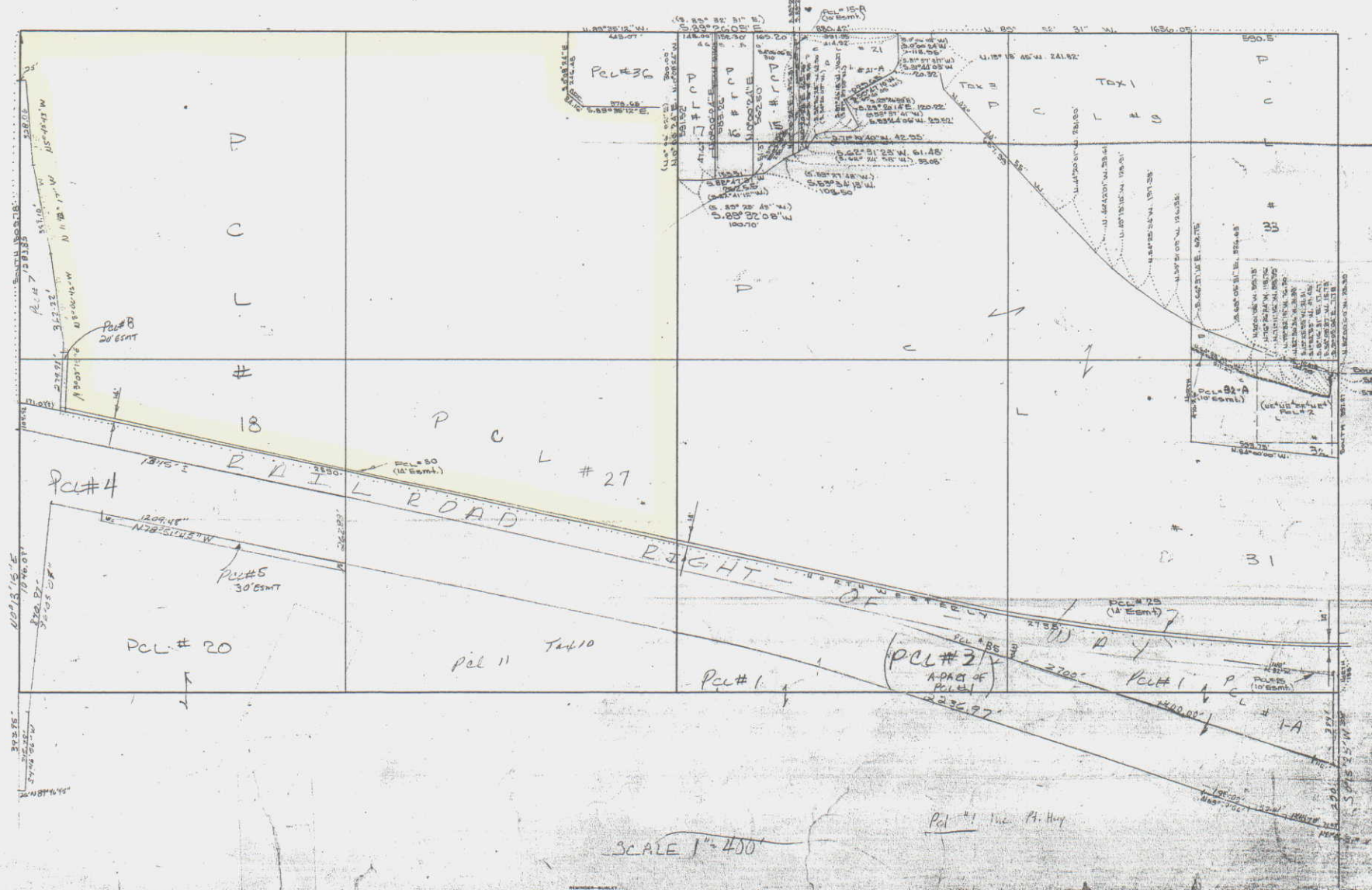


PC#19-A  
15' x 21.1' x 15'  
43 rnt.

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."

NORTH  
HALF



COUNTY \_\_\_\_\_ SEC. 22 TWP 7 S RGE 16 EBM.

*outh  
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."

