

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

11/6/2024

**Water Right 36-7605**  
**AFTER OWNERSHIP CHANGE SPLIT**

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                                   |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | L & S LAND HOLDINGS LLC<br>2930 S 2300 E<br>WENDELL, ID 83355-3150<br>(208) 536-6148                                                                      |
| Original Owner    | A N AMBROSE<br>PO BOX 247<br>WENDELL, ID 83355<br>(208) 536-5332                                                                                          |
| Previous Owner    | LUIS M BETTENCOURT<br>2930 S 2300 E<br>WENDELL, ID 83355-3150<br>(208) 536-6182                                                                           |
| Security Interest | METLIFE REAL ESTATE LENDING<br>LLC<br>C/O METLIFE INVESTMENT<br>MANAGEMENT LLC 205 E RIVER<br>PARK CIR STE 430<br>FRESNO, CA 93720-1572<br>(559) 435-0206 |

**Priority Date:** 2/4/1976

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15                         | 11/15     | 0.530 CFS             | 107.2 AF      |
| MITIGATION            | 03/15                         | 11/15     | 0.450 CFS             | 89.6 AF       |
|                       | <b><u>Total Diversion</u></b> |           | 0.980 CFS             | 196.8 AF      |

**Source and Point(s) of Diversion:**

|              |            |                                           |
|--------------|------------|-------------------------------------------|
| GROUND WATER | NESWSW     | Sec. 35, Twp 07S, Rge 15E, GOODING County |
| GROUND WATER | L3(NWNENW) | Sec. 2, Twp 08S, Rge 15E, GOODING County  |

**Place Of Use:**

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**MITIGATION within GOODING County**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 15E | 35  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**IRRIGATION within GOODING County**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |      |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW   | SW | SE |        |
| 07S | 15E | 34  |    |    |    |    |    |    |    |    |    |    |    |    | 9.2 |      |    |    | 9.2    |
| 07S | 15E | 35  |    |    |    |    |    |    |    |    |    |    |    |    |     | 17.6 |    |    | 17.6   |

POU Total Acres: 26.8

**Conditions of Approval:**

1. The mitigation portion of right 36-7605 is used for mitigation purposes for right 36-16752 under Transfer approval 73740
2. 114 The model used to calculate depletion effects and mitigation for the Thousand Springs reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 76955. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
3. 205 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.
4. R64 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.
5. S17 Use of this right is combined with water from North Side Canal Co., Ltd.
6. R05 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. 130.
7. 214 Prior to the diversion and use of water under Transfer approval 76955, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 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. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such

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general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Comments:**

|                                                                                                          |          |           |                   |
|----------------------------------------------------------------------------------------------------------|----------|-----------|-------------------|
| 1                                                                                                        | cskinner | 12/6/2010 | POD               |
| Updated Shape                                                                                            |          |           |                   |
| 2                                                                                                        | cskinner | 12/6/2010 | POU               |
| Updated Shape                                                                                            |          |           |                   |
| 3                                                                                                        | cskinner | 3/15/2011 | POD               |
| Updated Shape                                                                                            |          |           |                   |
| 4                                                                                                        | amerritt | 3/15/2011 | Transferred Right |
| This is now an approved transfer, transfer number = 76955                                                |          |           |                   |
| 5                                                                                                        | pskaggs  | 5/9/2011  | Mitigation Use    |
| The number of acres (22.4) originally irrigated prior to mitigation use were removed from Water Use tab. |          |           |                   |
| 6                                                                                                        | KAasa    | 11/6/2024 | Split Right       |
| Split into 36-17297.                                                                                     |          |           |                   |

**Dates and Other Information:**

Decreed Date: 8/27/2001  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 130  
Generic Max Rate Per Acre: 0.020  
Generic Max Volume Per Acre: 4.0  
Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources  
**Water Right**  
36-7605  
AFTER OWNERSHIP CHANGE SPLIT  
IRRIGATION



0 0.075 0.15 0.3 Miles

- Place Of Use Boundary
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



State of Idaho  
Department of Water Resources  
**Water Right**  
36-7605  
AFTER OWNERSHIP CHANGE SPLIT  
MITIGATION



0 0.075 0.15 0.3 Miles

-  Place Of Use Boundary
-  Point of Diversion
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



**11/5/2024**

|                          |                                                                                      |
|--------------------------|--------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                       |
| Current Owner            | L & S LAND HOLDINGS LLC<br>2930 S 2300 E<br>WENDELL, ID 83355-3150<br>(208) 536-6148 |

**Status:** Active

### Tributary

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>     | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15                  | 11/15            | 0.590 CFS                    | 118.4 AF             |
| MITIGATION                   | 03/15                  | 11/15            | 0.450 CFS                    | 89.6 AF              |
|                              | <b>Total Diversion</b> |                  | <b>1.040 CFS</b>             | <b>208.0 AF</b>      |

|              |            |                                           |
|--------------|------------|-------------------------------------------|
| GROUND WATER | NESWSW     | Sec. 35, Twp 07S, Rge 15E, GOODING County |
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|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 07S | 15E | 35  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |      |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE | Totals |
| 07S | 15E | 34  |    |    |    |    |    |    |    |    |    |    |    |    | 12.0 |      |    |    | 12.0   |
| 07S | 15E | 35  |    |    |    |    |    |    |    |    |    |    |    |    |      | 17.6 |    |    | 17.6   |

POU Total Acres: 29.6

|    |     |                                                                                                                                                                                                                                      |
|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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- right to seek quantification of such gains resulting from Transfer approval 76955. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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**Comments:**

- |                                                           |          |           |                   |
|-----------------------------------------------------------|----------|-----------|-------------------|
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**Combined Use Limits:**

N/A

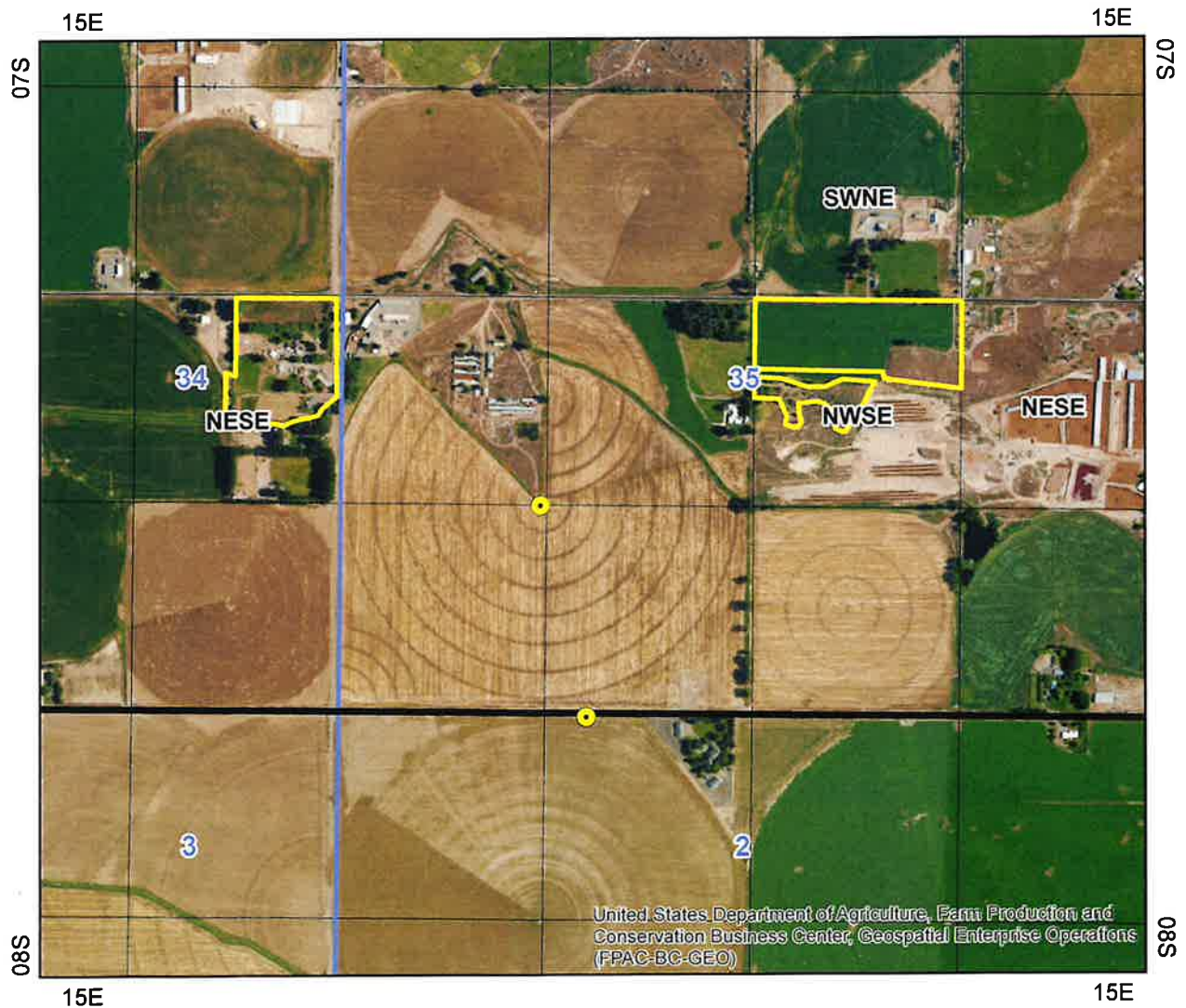
**SubCase:**

N/A

**Water Supply Bank:**

N/A

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