

**APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION**

Check all that apply:

- ☐ Change diversion point(s)      ☒ Add diversion point(s)      ☐ Ownership change      ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.0.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) KBCP LLC Phone

2. MAILING ADDRESS 3010 MC KINLEY ST City AMERICAN FALLS

State Idaho Zip 83211 Email

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 35-4093

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](http://idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 2.32 cubic feet per second and/or 464.0 acre-feet per annum.  
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](http://idwr.idaho.gov), *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well, mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? KBCP LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).  
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and  $\frac{1}{4}$  of section information. You may create a map at [idwr.idaho.gov](http://idwr.idaho.gov), [Water Rights](#), [Water Right Transfers](#), [File a Transfer Application](#), [Step 2C](#).

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

KBCP LLC by Karen Koompin  
Signature of applicant or authorized agent

Klaren Koompin managing partner  
Print name and title if applicable

7-29-22  
Date

\_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Print name and title if applicable

\_\_\_\_\_  
Date

9. FEE - ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), [Water Right Transfers](#), [Step 4](#) and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

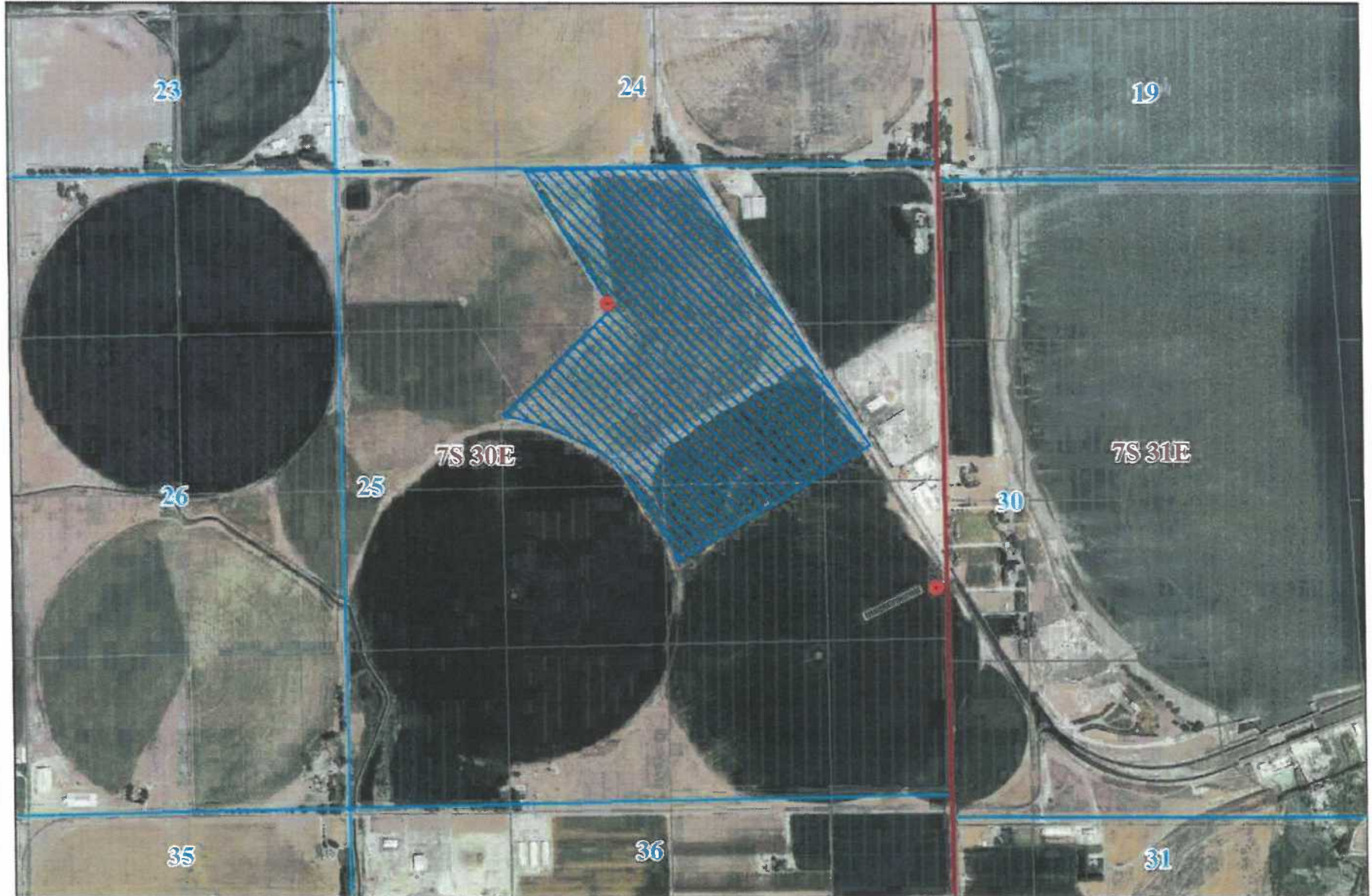
Transfer includes \_\_\_\_\_ pages of attachments. Received by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$50.00 Date 8/1/22 Received by Ceth Receipt # E049371

Preliminary review by \_\_\_\_\_ Date \_\_\_\_\_ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 \_\_\_\_\_ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)



0 0.25 0.5 Miles

BROCKWAY ENGINEERING, PLLC.  
GWS - Date: 7/26/2022

**KBC FARMS  
2022 POD TRANSFER  
NAIP 2021 AERIAL PHOTO**

**Legend**

- Points of Diversion
- 35-4093



86661

# IDAHO DEPARTMENT OF WATER RESOURCES

## WATER RIGHT REPORT

7/26/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-4093

| <u>Owner Type</u>      | <u>Name and Address</u>                                                                 |
|------------------------|-----------------------------------------------------------------------------------------|
| Current Owner          | KBCP LLC<br>3010 MC KINLEY ST<br>AMERICAN FALLS, ID 83211<br>2082262773                 |
| Directors Report Owner | BOWLER RANCHES INC<br>3062 S FRONTAGE RD<br>AMERICAN FALLS, ID 83211-5439<br>2082262611 |

Priority Date: 04/01/1962

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01        | 10/31     | 2.32 CFS              | 464 AFA       |
| Total Diversion       |             |           | 2.32 CFS              | 464 AFA       |

Location of Point(s) of Diversion:

GROUND WATER|SENENW|Sec. 25|Township 07S|Range 30E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 07S             | 30E          | 25             |            | NWNE         | 18           |            | SWNE         | 38           |            | SENE         | 3            |            |              |              |
|                 |              |                |            | NENW         | 22           |            | SENW         | 25           |            |              |              |            |              |              |
|                 |              |                |            | NESW         | 1            |            |              |              |            |              |              |            |              |              |

NWSE 9

Total Acres: 116

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.

Dates:

Licensed Date:

Decreed Date: 04/02/2012

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho  
Department of Water Resources

# Water Right

35-4093

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



The USDA FSA Aerial Photography Field Office asks to be credited in derived products. SW28



## Legend

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



Date created: 7-26-2022



0004478054

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

**-FILED-**

File #: 0004478054

Date Filed: 11/3/2021 10:26:36 AM

## Entity Name and Mailing Address:

Entity Name:

KBCP, LLC

The file number of this entity on the records of the Idaho Secretary of State is:

0000249407

Address

3010 MCKINLEY RD  
AMERICAN FALLS, ID 83211-5448

## Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

W79785

## The registered agent on record is:

Registered Agent

KENNETH KOOMPIN  
Registered Agent

Physical Address

3066 S FRONTAGE RD  
AMERICAN FALLS, ID 83211

Mailing Address

## Limited Liability Company Managers and Members

| Name          | Title  | Business Address                          |
|---------------|--------|-------------------------------------------|
| Klaren Koopin | Member | 3010 MCKINLEY<br>AMERICAN FALLS, ID 83211 |

The annual report must be signed by an authorized signer of the entity.

Job Title: Office Manager

Amanda Givens

Sign Here

11/03/2021

Date

B0659-9082 11/03/2021 10:26 AM Received by ID Secretary of State Lawrence Denney

RECEIVED

AUG 01 2022

Department of Water Resources  
Eastern Region



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 26, 2022

James Cefalo  
Idaho Department of Water Resources  
900 North Skyline Drive, Suite A  
Idaho Falls, ID 83402-1718

Re: KBCP LLC

Dear Mr. Cefalo:

KBCP LLC desires to increase the number of allowed diversion points for water right 35-4093 to two wells. Both wells are existing wells and are operation at this time.

No other characteristics of water right 35-4093 will be changing with this transfer application.

Please copy Brockway Engineering on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Klaren Koompin

Enc: POD Transfer Application, Aerial Map, KBCP LLC Check # \_\_\_\_\_ for \$50.00

86661



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

August 24, 2022

KBCP LLC  
3010 MC KINLEY RD  
AMERICAN FALLS, ID 83211-5448

RE: Transfer No. 86661  
Water Right No(s). 35-4093

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the POWER COUNTY PRESS on 8/31/2022 and 9/7/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman  
Administrative Assistant

CC:  
GREG SULLIVAN  
2016 WASHINGTON ST N STE 4  
TWIN FALLS, ID 83301-3082

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, August 24, 2022 11:04 AM  
**To:** 'press1@press-times.com'  
**Subject:** Legal Notice for Power County Press  
**Attachments:** 86661 Power County Press.docx

LEGAL NOTICE DEPARTMENT  
POWER COUNTY PRESS  
PO BOX 547  
AMERICAN FALLS, ID 83211

RE: Transfer No. 86661  
Water Right No(s). 35-4093

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/19/2022. Your cooperation is appreciated.

Thank You,



Christina Henman  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 86661**

KBCP LLC, 3010 MC KINLEY RD, AMERICAN FALLS, ID 83211-5448 has filed Application No. 86661 for changes to the following water rights within POWER County(s): Right No(s). 35-4093; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. The proposed points of diversion are in Lot 3 (NESE) (new) and SENENW Sec 25 T07S R30E for 2.32 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 9/19/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/31/2022 and 9/7/2022