

Hersley, Jean

From: Buyer, Remington
Sent: Monday, February 1, 2021 10:09 AM
To: Hersley, Jean; Veibell, Amanda
Subject: FW: Water Supply Bank lease of water rights 35-14040 and 35-14308
Attachments: Cancellation of Contract 1309 (1).pdf

Ladies,

KBC Farms is requesting to cancel contract 1309. I've uploaded the attached PDF to the WSB software system documents section for Contract 1309.

When we receive back from KBC Farms Contract 1312, please proceed to have Contract 1309 cancelled.

Thanks.

From: Amanda Givens/ Kenneth Koopin [mailto:koopinfarms@gmail.com]
Sent: Monday, February 1, 2021 10:00 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Cc: Greg Sullivan <greg.sullivan@brockwayeng.com>; Bank <Bank@idwr.idaho.gov>
Subject: Re: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

We would like to cancel contract 1309 for this year.

Thank you!
Amanda Givens
Koopin Farms
KBC Farms, LLC

On Mon, Feb 1, 2021 at 9:57 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Morning Greg,

If KBC Farms replies to this email chain to request cancellation of contract 1309, that will suffice for us to document that the lease contract is no longer desired. We can include the reply in our records and cancel contract 1309 when we execute contract 1312.

Remington

From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
Sent: Monday, February 1, 2021 9:50 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Cc: Bank <Bank@idwr.idaho.gov>; 'Amanda Givens/ Kenneth Koopin' <koompinfarms@gmail.com>
Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

Thank you for the information.

I have the signed lease contract for 35-14040 in my office. However, the intent is to move 35-14040 to a new location this spring and irrigate with it this year. I do not intend to submit the signed contract to IDWR.

What do you need from KBC Farms or me to cancel the lease application and contract for 35-14040?

Greg Sullivan

Brockway Engineering

2016 North Washington Street, Suite 4

Twin Falls, Idaho 83301

208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Buyer, Remington [mailto:Remington.Buyer@idwr.idaho.gov]
Sent: Monday, February 01, 2021 9:31 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>

Cc: Bank <Bank@idwr.idaho.gov>; Amanda Givens/ Kenneth Koompin <koompinfarms@gmail.com>

Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Hi Greg,

We have not yet received back from KBC farms the signed approval pages for contracts 1309 and 1312. I don't know why KBC farms sent them to you. Please forward the documents to our office, or forward them back to KBC Farms, so that they might return them to our office.

If a transfer will be filed this year for water right 35-14040, and a lease of this water right is not desired for 2021, then when contract 1312 is returned to our office, KBC Farms can request the cancellation of contract 1309, to accommodate the transfer.

Regarding Lance Funk's request to rent water right 35-14308, in conjunction with water right 29-8126, that you emailed last week, please know it cannot be processed as proposed. Water right 29 -8126 is considered to be a non-consumptive use industrial water right which can only be rented for non-consumptive uses.

For your consideration, attached to this email is a list of ESPA water rights presently under lease, or proposed for lease to the Bank. Please know, this list is changing daily and I would strongly encourage you to inquire with our office to make certain that the water rights you might choose from this list are still available, prior to submitting your rental applications.

-Remington

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]

Sent: Friday, January 29, 2021 2:58 PM

To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>

Cc: Bank <Bank@idwr.idaho.gov>

Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

I am really confused right now. I just received in the mail two original signed copies of Contract 1309 for 47.5 acres of 35-14040 and tow original signed copies of Contract 1312 for 63.3 acres of 35-14308 from KBC Farms. If I have the original lease contracts sitting on my desk, what documents do you have for water rights 35-14308 and 35-14040?

Greg Sullivan

Brockway Engineering

2016 North Washington Street, Suite 4

Twin Falls, Idaho 83301

208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]

Sent: Thursday, January 28, 2021 4:01 PM

To: 'Buyer, Remington' <Remington.Buyer@idwr.idaho.gov>

Cc: 'Bank' <Bank@idwr.idaho.gov>

Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

See the attached rental applications and lease application. The attached documents will go out in tomorrow's mail.

I have been waiting for the original KBC Farm lease application to come in the mail so that I could submit it with the rental applications. Sorry for the mix up. Did they submit a \$250 check with it?

The lease application for 35-7489 will have a \$250 check attached to it tomorrow.

Please do not process the lease application or renewal for 35-14040. The lease application or renewal should not have been signed or submitted to you. The entire water right 35-14040 is being transferred to a new POD and POU location and hopefully will be irrigated this summer. I am waiting for the original signature pages to return to me so I can submit the transfer to the Eastern IDWR office.

Thank you for reaching out to me of the lease applications.

Let me know if you have any questions.

Greg Sullivan

Brockway Engineering

2016 North Washington Street, Suite 4

Twin Falls, Idaho 83301

208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Buyer, Remington [<mailto:Remington.Buyer@idwr.idaho.gov>]

Sent: Thursday, January 28, 2021 11:58 AM

To: Greg Sullivan <greg.sullivan@brockwayeng.com>

Cc: Bank <Bank@idwr.idaho.gov>

Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

OK, in that case, we will look forward to receiving the rental applications on behalf of your clients. Please send them in ASAP. You can email the rental applications to Bank@idwr.idaho.gov to expedite the process.

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Thursday, January 28, 2021 11:51 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

Yes I am trying to rent them for another client. They were supposed to mail the lease applications to me. I have been checking the mail everyday looking for them and waiting to submit the rentals together.

Greg Sullivan

Brockway Engineering

2016 North Washington Street, Suite 4

Twin Falls, Idaho 83301

208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Buyer, Remington [<mailto:Remington.Buyer@idwr.idaho.gov>]
Sent: Thursday, January 28, 2021 10:25 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Cc: Bank <Bank@idwr.idaho.gov>
Subject: FW: Water Supply Bank lease of water rights 35-14040 and 35-14308

Hi Greg,

Are you working on a rental application of water rights 35-14040 and 35-14308 for Lance Funk, or someone else?

The Water Supply Bank is contemplating renting these water rights to a third party.

We haven't yet finalized the lease of the Koompin Farms water rights, so there is still time for you to submit a rental application for your clients. If you would like to submit an application to rent these water rights for your client, we can temporarily hold them for your client.

However, I would ask that you submit your rental application immediately. Once we execute lease contracts for these water rights, we will proceed to make these water rights available for rental on a first-come, first-served basis.

Regards,

Remington

From: Buyer, Remington
Sent: Thursday, January 28, 2021 10:18 AM
To: 'Amanda Givens/ Kenneth Koompin' <koompinfarms@gmail.com>
Subject: RE: Water Supply Bank lease of water rights 35-14040 and 35-14308

Thanks for this confirmation Amanda.

From: Amanda Givens/ Kenneth Koompin [<mailto:koompinfarms@gmail.com>]
Sent: Thursday, January 28, 2021 9:59 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water Supply Bank lease of water rights 35-14040 and 35-14308

Remington,

I just talked to Greg Sullivan at Brockway Engineering in Twin Falls about this, I believe he is going to fill out the info to lease them to Lance Funk Farms like he has done in the past. We just sent Greg everything the other day so you guys should be seeing all the needed paperwork anytime.

Thanks!

Amanda

On Thu, Jan 28, 2021 at 9:41 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Hello Klaren,

The Water Supply Bank recently approved applications to lease into the Bank water rights 35-14040 and 35-14308 and contracts have been sent out by mail for signature.

On page one of the lease applications, a check box was checked, indicating that the leases were being submitted to the Bank as part of a lease/rental package. However, I can't find any information in the lease application to indicate who the intended renter of these water rights should be.

Is there an intended renter of these water rights? Or, does Koompin Farms not have a preference as to whom these water rights might be rented? The Bank is contemplating a rental of these water rights for 2021, but prior to allocating them to a rental agreement, we wanted to confirm that there wasn't already an intended renter.

Thank you for your response to this inquiry,

Remington Buyer

Water Supply Bank Coordinator

Idaho Department of Water Resources

322 East Front Street, Boise, ID, 83720

T: (208) 287-4918 | **F:** (208) 287-6700

STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

RECEIVED

DEC 23 2020

DEPARTMENT OF
WATER RESOURCESDesignated Applicant KBC Farms, LLC

(Select one owner – see item 1A on the application)

Water Right No. 35-14040

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- CANCELLED
- 1A ☒ ☐ Signatures and contact information for **all owners** of the water right to be leased or sold on this application.
- 1B ☒ ☐ An [Internal Revenue Service \(IRS\) Form W-9](#) for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☐ ☒ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☐ ☒ Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).

Department Use Only

Fee Amount \$ <u>500</u>	Received By: <u>Ku</u>	Date Received: <u>12.23.2020</u>	Receipt # <u>C109718</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>KBC Farms LLC</u>	

1952

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant KBC Farms, LLC

Mailing Address 3010 McKinley, American Falls, ID 83211

Street

City

State

Zip Code

Email Address koompinfarms@gmail.com

Phone Number 208-226-9940

- ☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

- ☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☒
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

- ☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

- ☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

- ☒ The full water right is being offered to the Bank.

OR

- ☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#).

- B. Please provide a description of the current water diversion and delivery system.

Existing well, no delivery system

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. None

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. The water right has been under lease contract for several years with the Idaho Water Supply Bank.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☒ No ☐

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed. This water right has been under lease contract for several years with the Idaho Water Supply Bank.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe. Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, specify the years when the use of water will be suspended: 2021 to 2021 (maximum lease period 5 calendar years).
(Year) (Year)

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

KBC Bank by
Klaren Koopman
Signature of Designated Applicant

Klaren Koopman
Printed Name

12-18-20
Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

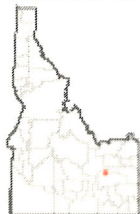
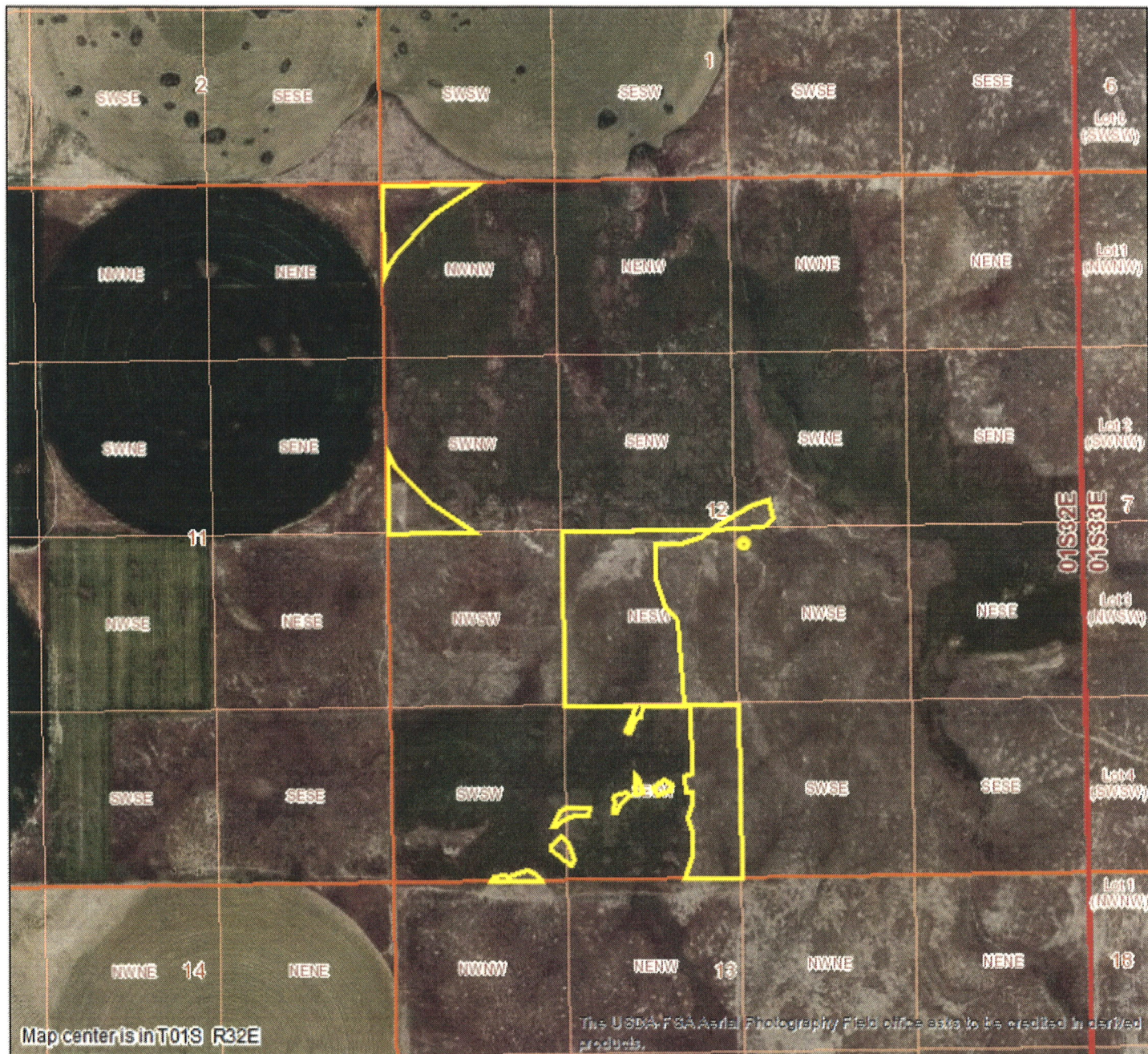
State of Idaho
Department of Water Resources

Water Right

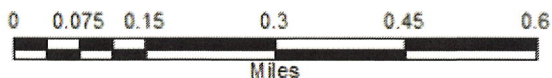
35-14040

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.



Date created: 12/14/2020



Legend

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



NWNW	4	SWNW	4.9	SENW	0.1
NESW	23	SWSW	1	SESW	13.6

Total Acres: 47.5

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such 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.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

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: 0.02

Generic Max Volume per Acre: 4

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

Water Supply Bank:

Lessor Name(s): KBC FARMS LLC

Lease Status: Active

Lease Amount: .47cfs

Rental Availability: None

Date Received: 2/14/2017

Lease Begin Date: 1/1/2017

Expiration Date: 12/31/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 19, 2021

KBC FARMS LLC
3010 MC KINLEY
AMERICAN FALLS ID 83211

RE: APPLICATION TO LEASE WATER RIGHT 35-14040 & 35-14308 TO THE WATER SUPPLY BANK CONTRACT 1309 & 1312

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2021**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Jean Hersley

for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C109718

Hersley, Jean

From: Hersley, Jean
Sent: Friday, January 15, 2021 11:07 AM
To: Cefalo, James; Jordan, Blake
Subject: WSB Leases for KBC Farms
Attachments: Idled Acres 35-14040.pdf; Lease Application Review 35-14040.xls; Lease Contract -1309.docx; Idled Acres 35-14308.pdf; Lease Application Review 35-14308.xls; Lease Contract_1312.docx

Please let me know if you have any comments or concerns with the attached leases. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

WATER SUPPLY BANK		Quick Tools	
Lease Review Checklist		Decreed	No Forfeiture Concerns Thru:
		Year	
Applicant(s) Name: KBC Farms		2011	2017
Memo Date: January 14, 2021		2012	2018
Water Right Number(s): 35-14040		2013	2019
		2014	2020
		2015	2021
Reviewers Name: Jean			
		Check box	COMMENTS/CONCERNS:
1	Fill out WSB Data Entry Checklist for Leases (Front of File)	x	
2	Reason for lease of water rights (Brief description of lease proposal in narrative)		
	Portion of right		
	All of right	x	
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)		
		Yes	No
4	Rentable? (If no explain in comments or narrative)	x	
5	Authority to file		
	Current owner or designated applicant	x	
	SOS Web site checked for business entity	x	Klaren Koompin
	Other (explain in comments)		
6	Water Right validity		
	Decreed/Licensed/Statutory claim date (write in comments section)		2002
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)		
	Has this right previously been leased to the bank or in CREP?	x	2008-2020
7	Injury to other water rights		
	If the POD is through a delivery entity, was consent provided?		na
	If the POD is through a delivery entity, was holdback required? (percentage in comments)		%
	Any other concerns	x	
8	Enlargement concerns	Check box	
	Complete a POU comparison overlap analysis	x	
	Complete a combined limits review	x	
	Complete POD overlap analysis (if there is an overlap add condition to lease)	x	
		Yes	No
	Are there overlapping rights that need to be placed in the bank also?		x
	Will the place of use continue to receive water? (if yes explain in comments)		x
9	Local Public Interest		
	Does the processor know of any problems this action will cause for the local public?		x
10	Have you contacted regional office and watermaster for comment/concerns?	x	
	Send the watermaster comment request form or e-mail request		
11	Area Headgate requirement (write in Comments)		4
12	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		x
13	Narrative: The Department received this application on December 23, 2020. The applicant wishes to place the entire right in the Bank. The application was signed by Klaren Koompin, manager of KBC Farms. This right was decreed in 2002 and has been in the Bank since 2008. The water right was approved for transfer in the Fall of 2009 but this was part of the unchanged portion. A review of aerial imagery from 2002-2008 indicates a possibility of some irrigation during 2003, which provides protection from forfeiture. Additionally, a memo in Transfer 74094 indicates 35-7448, the parent right, was irrigated in June 2007. The transfer focused on the 94 acres moved; however, the reviewer does not clarify if their review touched on the entire POU. The aerial imagery showed no difference between the 94 acres under the transfer and the remaining acres to be leased. Doesn't appear to be any issues with forfeiture. There are no overlapping rights. This right is currently within WD 120.		



0003794860

**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 #: 0003794860

Date Filed: 3/3/2020 11:17:06 AM

Entity Name and Mailing Address:

KBC FARMS, LLC

The file number of this entity on the records of the Idaho Secretary
of State is: 0000040924

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: W8416

The registered agent on record is:

Registered Agent KENNETH KENT KOOMPIN
Registered Agent
Physical Address
3010 MCKINLEY
AMERICAN FALLS, ID 83211
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
KENNETH KENT KOOMPIN	Member	3066 S FRONTAGE RD AMERICAN FALLS, ID 83211
KATHY KOOMPIN	Member	3066 S FRONTAGE RD AMERICAN FALLS, ID 83211
BERNARDINE W CASENAS BEARUP	Member	3062 S FRONTAGE RD AMERICAN FALLS, ID 83211
CHARLES BEARUP	Member	3062 S FRONTAGE RD AMERICAN FALLS, ID 83211
CHERYL A KOOMPIN	Member	300 SNAKE RIVER DR AMERICAN FALLS, ID 83211
KLAREN KOOMPIN	Manager	300 SNAKE RIVER DR AMERICAN FALLS, ID 83211

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

Amanda Givens

Sign Here

03/03/2020

Date

Job Title: Office Manager

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