

T5433

KBC FARMS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 21 1999

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5433

WATER RIGHT NO(S). 35-02274/35-07390/35-07630/35-02432C
35-07391C/35-07863

This is to certify that: **KBC FARMS LLC**
3066 S FRONTAGE RD
AMERICAN FALLS ID 83211

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02274 :			
IRRIGATION	04/01 to 10/31	2.40 CFS	700.0 AF
Priority: 12/16/1953			
Right No. 35-07390 :			
IRRIGATION	04/01 to 10/31	3.72 CFS	1224.0 AF
Priority: 03/13/1974			
Right No. 35-07630 :			
IRRIGATION	04/01 to 11/01	4.80 CFS	1208.0 AF
Priority: 08/03/1976			
SUBTOTAL:		** 6.90 CFS	2264.0 AF **
Right No. 35-02432C :			
IRRIGATION	04/01 to 10/31	0.93 CFS	288.0 AF
Priority: 08/17/1955			
Right No. 35-07391C :			
IRRIGATION	04/01 to 10/31	0.08 CFS	34.0 AF
Priority: 03/13/1974			
SUBTOTAL:		*** 1.01 CFS	288.0 AF ***
Right No. 35-07863 :			
IRRIGATION	04/01 to 11/01	5.30 CFS	1220.0 AF
Priority: 07/12/1979			
TOTAL:		**** 13.21 CFS	3772.0 AF ****

TRANSFER NO. 5433
 WATER RIGHT NO(S). 35-02274/35-07390/35-07630/35-02432C
 35-07391C/35-07863

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 24, Township 08S, Range 29E
 SENW , Sec. 24, Township 08S, Range 29E
 POWER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
08S	29E	23	SESW 5.0	SWSE 15.0	SESE 32.0	52.0
		24	NENE 31.3	NWNE 37.3	SWNE 36.8	
			SENE 31.3	NENW 37.3	NWNW 31.3	
			SWNW 37.3	SENW 36.8	NESW 36.8	
			NWSW 37.3	SWSW 39.3	SESW 39.3	
			NESE 31.3	NWSE 36.8	SWSE 39.3	
			SESE 39.3			578.8
		25	NENE 37.3	NWNE 37.3	SENE 37.0	
			NENW 37.3	NWNW 31.3	NESE 30.0	210.2
		26	NENE 28.0	NWNE 36.0	NENW 10.0	74.0
30E	30		NWSW 28.0			28.0

Total number of acres irrigated: * 943.0

CONDITIONS OF APPROVAL AND REMARKS

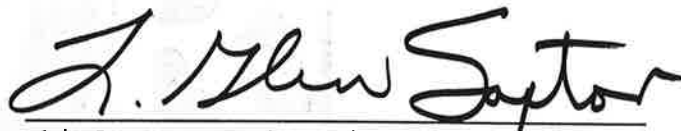
- 046 1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. 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.
- 707 5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 708 6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 084 7. Wells drilled under the approval of Tranfer 5433 shall have a solid unperforated casing extending from the surface to a minimum depth of 350 feet.
- QPT 8. The total instantaneous diversion of water from all points of diversion under Transfer 5433 shall not exceed 13.21 cfs, nor a total combined annual volume of 3772.0 af.
- C18 9. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

TRANSFER NO. 5433
WATER RIGHT NO(S). 35-02274/35-07390/35-07630/35-02432C
35-07391C/35-07863

CONDITIONS OF APPROVAL AND REMARKS

- * 10. Right 35-02274 is limited to the irrigation of 175.0 acres in the place of use described above in a single irrigation season.
- * 11. Right 35-07390 is limited to the irrigation of 306.0 acres in the place of use described above in a single irrigation season.
- * 12. Right 35-07630 is limited to the irrigation of 302.0 acres in the place of use described above in a single irrigation season.
- ** 13. Rights 35-02274, 35-07390, and 35-07630 when combined shall not exceed a total diversion rate of 6.90 cfs, a total annual maximum diversion volume of 2264.0 af at the field headgate, and the irrigation of 566.0 acres.
- * 14. Right 35-02432C is limited to the irrigation of 72.0 acres in the place of use described above in a single irrigation season.
- * 15. Right 35-07391C is limited to the irrigation of 72.0 acres in the place of use described above in a single irrigation season.
- *** 16. Rights 35-02432C and 35-07391C when combined shall not exceed a total annual maximum diversion volume of 288.0 af at the field headgate, and the irrigation of 72.0 acres.
- * 17. Right 35-07863 is limited to the irrigation of 305.0 acres in the place of use described above in a single irrigation season.
- **** 18. Rights 35-02274, 35-07390, 35-07630, 35-02432C, 35-07391C and 35-07863 when combined shall not exceed a total diversion rate of 13.21 cfs, a total annual maximum diversion volume of 3772.0 af at the field headgate, and the irrigation of 943.0 acres.

Dated this 18th day of October, 19 99.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-02274, 35-07390, 35-07630, 35-02432C, 35-07391C & 35-07863

FROM: Pam Skaggs^{CP}/State Office

SUBJECT: Transfer 5433

DATE: October 15, 1999

Transfer 5433 adds and changes the point of diversion, and changes the place of use under Rights 35-02274, 35-07390, 35-07630, 35-02432C, 35-07391C and 35-07863. These rights will be combined to create a 943.0 acres permissible place of use.

The transfer was processed on the rights as recommended in the SRBA. The applicant is purchasing the rights from the current owner and moving them to other lands. A small portion of the rights is located on BLM land and a release has been obtained to transfer them from public to private lands.

This transfer was protested and an agreement was reached between the US Fish and Wildlife Service and the applicant regarding the withdrawal of protest. Two conditions were included on the approval to reflect the protest agreement and the requirement to case the proposed wells to a minimum depth of 350 feet. One well has been drilled under Expedited Drilling Permit #35-99-E-0072-000, which also contained the casing requirement.

Other recommended conditions include drilling permit requirements, measuring & annual reporting, multiple well diversion limits, SRBA Basin 35 connected sources, permissible place of use limits, combined right limits, irrigation overlap and standard transfer conditions.

Page 1 of 1430 7/29/99
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5433APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant KBC Farms, L.L.C Phone 208 226 2773
Post Office address 3066 South Frontage Road American Falls, ID 83211

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To transfer water right to more productive land and dry up currently irrigated land

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>35-02274</u>	<u>12/16/1953</u>	<u>2.4/2264</u>	<u>Irrigation</u>	<u>04-01 to 10-31</u>
<u>35-07390</u>	<u>03/13/1974</u>	<u>3.72/2264</u>	<u>Irrigation</u>	<u>04-01 to 10-31</u>
<u>35-07630</u>	<u>08/03/1976</u>	<u>4.8/2264</u>	<u>Irrigation</u>	<u>04-01 to 11-01</u>
<u>35-02432C</u>	<u>08/17/1955</u>	<u>0.93/288</u>	<u>Irrigation</u>	<u>04-01 to 10-31</u>
<u>35-07391C</u>	<u>03/13/1974</u>	<u>0.08/288</u>	<u>Irrigation</u>	<u>04-01 to 10-31</u>
<u>35-07863</u>	<u>07/12/1979</u>	<u>5.3/1106</u>	<u>Irrigation</u>	<u>04-01 to 11-01</u>

2. Total amount of water being transferred 13.21 ~~12.86~~ cubic feet per second and/or 3658 ~~3772~~ acre-feet per annum.3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	NE	24	8S	29E	Power	well
	SE	SE	NW	24	8S	29E	Power	well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	29E	23												5			15	32	52
		24	31.3	37.3	36.8	31.3	37.3	31.3	37.3	36.8	36.8	37.3	39.3	39.3	31.3	36.8	39.3	39.3	578.8
		25	37.3	37.3		37	37.3	31.3							30				210.2
		26	28	36			10												74
8S	30E	30										28							28

PART 1

6. General Information:

- a. Description of diversion system Two wells with integrated pipe distribution system to pivot sprinklers and hand lines
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
The currently irrigated lands will no longer be irrigated
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-02274

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.40 CFS

SOURCE

GROUNDWATER

Priority: 12/16/1953

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 21, Township 03S, Range 32E
 SWSE , Sec. 21, Township 03S, Range 32E
 BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 21	NENE 17	NWNE 40	SWNE 40	
	SENE 40	NENW 36	SENE 35	
	<u>NESW</u> 13	NESE 38	NWSE 35	
	SESE 40			334
27	NWNW 28	SWNW 28	NWSW 9	65
28	NENE 40	NWNE 26	SWNE 27	
	SENE 40	NESE 26	NWSE 8	167
		Total number of acres irrigated:		566

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Claim No. 35-02274

CONDITIONS/REMARKS:

4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.: 35-07390 & 35-07630.
5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 566 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07390 & 35-07630.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. RIGHT NOS. 35-07390 AND 35-07630 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

PART 2

TRANS NO. 5433

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07390

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	3.72 CFS

SOURCE

GROUNDWATER

Priority: 03/13/1974

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 21, Township 03S, Range 32E
SWSE , Sec. 21, Township 03S, Range 32E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	32E	21	NENE 17	NWNE 40	SWNE 40	
			SENE 40	NENW 36	SENW 35	
			NESW 13	NESE 38	NWSE 35	
			SESE 40			334
		27	NWNW 28	SWNW 28	NWSW 9	65
		28	NENE 40	NWNE 26	SWNE 27	
			SENE 40	NESE 26	NWSE 8	167
			Total number of acres irrigated:			566

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Claim No. 35-07390

CONDITIONS/REMARKS:

3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.: 35-02274 & 35-07630.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 566 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02274 & 35-07630.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 306 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NOS. 35-02274 AND 35-07630 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

PART 2

TRANS NO. 5433

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07630

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	4.80 CFS

SOURCE

GROUNDWATER

Priority: 08/03/1976

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 21, Township 03S, Range 32E
 SWSE , Sec. 21, Township 03S, Range 32E
 BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 21	NENE 17	NWNE 40	SWNE 40	
	SENE 40	NENW 36	SENE 35	
	NESW 13	NESE 38	NWSE 35	
	SESE 40			334
27	NWNW 28	SWNW 28	NWSW 9	65
28	NENE 40	NWNE 26	SWNE 27	
	SENE 40	NESE 26	NWSE 8	167
		Total number of acres irrigated:		566

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

2. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Claim No. 35-07630

CONDITIONS/REMARKS:

3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2264 AF. COMBINED RIGHT NOS.: 35-07390 & 35-02274.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 566 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07390 & 35-02274.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 302 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NOS. 35-07390 AND 35-02274 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-02432C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.93 CFS

SOURCE

GROUNDWATER

Priority: 08/17/1955

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 27, Township 03S, Range 32E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 27	NWSW 5	SWSW 38	SESW 29	72
Total number of acres irrigated:				72

CONDITIONS/REMARKS:

1. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-07391C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.01 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 288 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-07391C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 35-07391C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

PART 2

TRANS NO. 5433

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07391C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.08 CFS	34.0 AF

SOURCE

GROUNDWATER

Priority: 03/13/1974

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 27, Township 03S, Range 32E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 27	NWSW 5	SWSW 38	SESW 29	72
Total number of acres irrigated:				72

CONDITIONS/REMARKS:

1. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

2. USE OF THIS RIGHT WITH RIGHT NO. 35-02432C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.01 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 288 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02432C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 35-02432C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

PART 2

TRANS NO. 5433

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07863

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	5.30 CFS	1220.0 AF

SOURCE

GROUNDWATER

Priority: 07/12/1979

LOCATION OF POINT(S) OF DIVERSION:NENWSE , Sec. 16, Township 03S, Range 32E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	32E	16	NENE 40	NWNE 32	SWNE 37	
			SENE 40	NESE 40	NWSE 36	
			SWSE 40	SESE 40		305
Total number of acres irrigated:						305

CONDITIONS/REMARKS:

1. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5433

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED USGS 7.5' QUAD MAP

305

PART 3

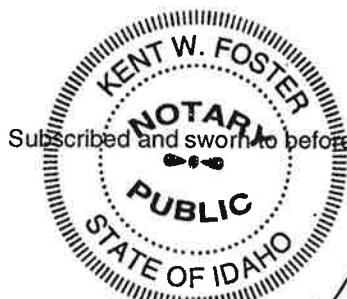
B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:
None
3. Describe the effects on other water uses resulting from the proposed change:
Original place of use will not longer be irrigated

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this 16th day of March, 19 99.

KBC Farms LLC
by Karen Kopy
 (Signature of Applicant)
mag. member

[Signature]
 (Notary Public)

My commission expires 11/20/2004

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and _____ attachments

Received by HWT Date 3-19-99 Protest filed by _____

Prelim. check by KCW Fee \$100

Received by HWT #E024844 Date 3-19-1999

Published in Power County Press Copies of protest forwarded by _____

Pub. dates 4/7 & 4/14/99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ Approval ☐ Denial

_____ rec'd. by BDC

Copy of transfer sent to lien holder _____



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

7250

October 15, 1999

Harold Jones
Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: Transfer Number 5433 from Judy Broadhead - SRBA Claim #s 35-07390, 35-07630 & 35-02274

Dear Mr. Jones:

By this letter I state that I have the authority to act on behalf of the United States, Department of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that Judy Broadhead wishes to transfer water under the above water rights from federal public property to land which she owns as private property. The federal public property legal description is as follows:

T.3S, R.32E, S.21 NESW (13 acres)

I understand that the Idaho Department of Water Resources cannot complete such a transfer of water under a water right without the notarized consent of the land owner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer, which will result in the discontinuance of water being applied to federal public land. The United States' non-opposition to the application for transfer does not represent recognition by the United States of the claim elements nor their validity.

If there are questions regarding any statements above, please do not hesitate to contact Deena Teel at (208) 524-7533 or at the address provided above.

Sincerely,

Dan J. Potansky
(Acting For)

Joe Kraayenbrink
Field Manager



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:
7250

October 18, 1999

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Eastern Region Office
Idaho Department of Water Resources
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Idaho Falls, Idaho 83402

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Sincerely,

Joe Kraayenbrink
Field Manager



SUBSCRIBED and SWORN to before me this 18th day of October, 1999.

STATE OF IDAHO

COUNTY OF BONNEVILLE

)
) ss:
)

On this 18th day of October, 1999, personally came before me, a notary public in and for said County and State, the within-named JOE KRAAYENBRINK, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in certificate first above written.

Sandra S Hoffer

Sandra S Hoffer

Notary public in and for the

State of Idaho,

County of Bonneville



Residing at Shelley, ID

My commission expires: 11-25-2002



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

RECEIVED

OCT 19 1999

Department of Water Resources
Eastern Region

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October 18, 1999

Harold Jones
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Idaho Department of Water Resources
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