

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82514**

This is to certify that: CHRISTOPHER KRAHN
10228 W HARVESTER DR
BOISE, ID 83709-2438
AND
JAMES KRAHN
900 W MEANDER CT
EAGLE, ID 83616-2600
AND
JUNO KRAHN
2825 SKYBROOK LN
DURHAM, NC 27703-5976

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-22160	WR/DECREE	6/1/1880	0.020 cfs	N/A	N/A	N/A	3 SPRING CREEK, BIG DEER CREEK, DEER CREEK, LITTLE DEER CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22160	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-22160	37-22160	0.020 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.020 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 25th day of September, 2018.


Southern Region Manager

Transfer No. 82514

WATER RIGHT NO. 37-22160**As Modified by Transfer No. 82514**

In accordance with the approval of Transfer No. 82514, Water Right No. 37-22160 is now described as follows:

Right Holder: CHRISTOPHER KRAHN
10228 W HARVESTER DR
BOISE, ID 83709-2438
AND
JUNO KRAHN
2825 SKYBROOK LN
DURHAM, NC 27703-5976
AND
JAMES KRAHN
900 W MEANDER CT
EAGLE, ID 83616-2600

Priority Date: 6/1/1880

Source:	UNNAMED STREAM	Tributary:	LITTLE DEER CREEK
Source:	LITTLE DEER CREEK	Tributary:	DEER CREEK
Source:	BIG DEER CREEK	Tributary:	DEER CREEK
Source:	DEER CREEK	Tributary:	CAMAS CREEK

BENEFICIAL USE

STOCKWATER

From

05/01

To

to 10/15

Diversion Rate

0.020 cfs

0.020 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	SWNE	Sec 13 Twp 01N Rge 14E	CAMAS County	(B)
LITTLE DEER CREEK	L2 (SWNW)	Sec 18 Twp 01N Rge 15E	CAMAS County	(B)
BIG DEER CREEK	L2 (SWNW)	Sec 19 Twp 01N Rge 15E	CAMAS County	(B)
DEER CREEK	L4 (SWSW)	Sec 19 Twp 01N Rge 15E	CAMAS County	(E)

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	13			X										X	X		X	
01N	15E	18							X			X	X						
									L 2			L 3	L 4						0
01N	15E	19						X	X			X	X						
								L 1	L 2			L 3	L 4						0

CONDITIONS OF APPROVAL

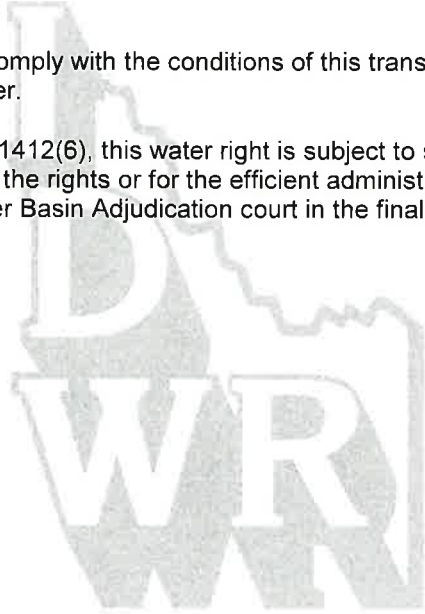
1. This right authorizes the watering of livestock directly from the stream without a diversion.

Transfer No. 82514

WATER RIGHT NO. 37-22160
As Modified by Transfer No. 82514

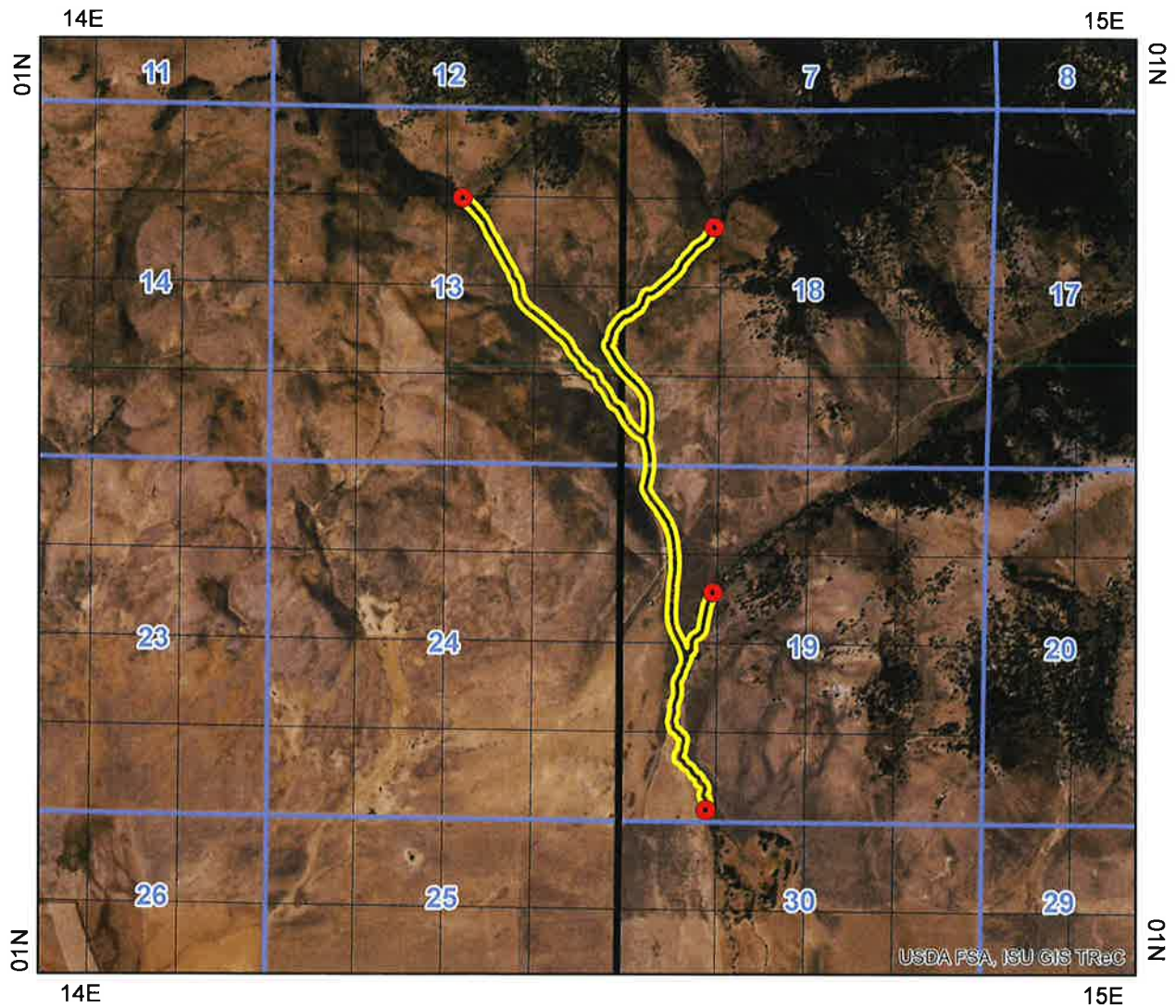
CONDITIONS OF APPROVAL

2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 82514
37-22160

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.325 0.65 1.3 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82514

RECEIVED
AUG 28 2018
DEPT. OF WATER RESOURCES
SOUTHERN REGION

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) JAMES KRAHN AND JUNO KRAHN AND CHRISTOPHER KRAHN

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
AUG 28 2018
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant JAMES KRAHN Phone (208) 473-6407
Mailing Address 900 W MEANDER CT, EAGLE ID 83616-2600 Email jimkrahn@gmail.com
Name of Applicant JUNO KRAHN Phone _____
Mailing Address 2825 SKYBROOK LN, DURHAM NC 27703-5976 Email _____
Name of Applicant CHRISTOPHER KRAHN Phone _____
Mailing Address 10228 W HARVESTER DR, BOISE ID 83709-2438 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☒ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

<u>James Krahn</u> Signature of Applicant or Authorized Representative	<u>James Krahn</u> Print Name and Title if applicable	<u>8/3/18</u> Date
<u>Chris Krahn</u> Signature of Applicant or Authorized Representative	<u>Christopher Krahn</u> Print Name and Title if applicable	<u>8/3/18</u> Date
<u>Juno M. Krahn</u> Signature of Applicant or Authorized Representative	<u>Juno M. Krahn</u> Printed Name and Title if applicable	<u>22 Aug 2018</u> Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-22160	No	Yes	Yes	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application seeks to change ownership of water right 37-22160 and update the legal description of one point of diversion and a portion of the place of use to the location where it has been historically used.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22160	0.020 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.020 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.02 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-22160

Current Water Right Owner

CHRISTOPHER KRAHN
 10228 W HARVESTER DR AND
 BOISE, ID 83709-2438

JUNO KRAHN
 2825 SKYBROOK LN
 DURHAM, NC 27703-5976

JAMES KRAHN
 900 W MEANDER CT AND
 EAGLE, ID 83616-2600

Priority Date: 6/1/1880

Origin: Water Right

Basis: Decreed

Status Active

Source: UNNAMED STREAM **Tributary:** LITTLE DEER CREEK
Source: LITTLE DEER CREEK **Tributary:** DEER CREEK
Source: BIG DEER CREEK **Tributary:** DEER CREEK
Source: DEER CREEK **Tributary:** CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
STOCKWATER	05/01	10/15	0.020 CFS	
Total Diversion			0.020 CFS	

Source and Point(s) of Diversion:

UNNAMED STREAM	SWNE	Sec. 13 Twp 01N Rge 14E CAMAS County (B)
LITTLE DEER CREEK	SWNW	Sec. 18 Twp 01N Rge 15E CAMAS County (B)
BIG DEER CREEK	SWNW	Sec. 19 Twp 01N Rge 15E CAMAS County (B)
DEER CREEK	SWSW	Sec. 19 Twp 01N Rge 15E CAMAS County (E)

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	13			X										X	X		X	
01N	15E	18							X			X	X						
									L 2			L 3	L 4						0
01N	15E	19						X	X			X	X						
								L 1	L 2			L 3	L 4						0

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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
N/A. This is an instream stockwater right.
- b. Who owns the property at the point(s) of diversion
Applicants own the PODs listed in T01N R15E, Sec 18-19. Per Camas County parcel information, John A Whitney
III owns the parcel where the POD listed in T01N R15E Sec 13 is located.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A. POD listed in Sec 13, T01N, R15E has historically been utilized in Sec 13, T01N, R14E which is owned
by applicants.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A. No physical change.
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A.
- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
37-4280, 37-4282, 37-4283, 37-4285, 37-4286, 37-4287 (stockwater); 37-2215 (irrigation)
- f. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDaho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHTS
PART 2A

Current Water Right No. 37-22160

Current Water Right Owner
DONALD E KRAHN
5413 W LOCKPORT DR
BOISE, ID 83703-3176

Priority Date: 6/1/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: 3 SPRING CREEK **Tributary:** DEER CREEK
Source: LITTLE DEER CREEK **Tributary:** DEER CREEK
Source: BIG DEER CREEK **Tributary:** DEER CREEK
Source: DEER CREEK **Tributary:** CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
STOCKWATER	05/01	10/15	0.020 CFS	
Total Diversion			0.020 CFS	

Source and Point(s) of Diversion:

3 SPRING CREEK	SWNE	Sec. 13 Twp 01N Rge 15E CAMAS County (B)
LITTLE DEER CREEK	SWNW	Sec. 18 Twp 01N Rge 15E CAMAS County (B)
BIG DEER CREEK	SWNW	Sec. 19 Twp 01N Rge 15E CAMAS County (B)
DEER CREEK	SWSW	Sec. 19 Twp 01N Rge 15E CAMAS County (E)

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	15E	13			X										X	X		X	0.0
01N	15E	18							X			X	X						0.0
01N	15E	19						X	X			X	X						0.0

Conditions/Remarks:

1. 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. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The quantity of water under this right shall not exceed 13,000 gallons per day.

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**. If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Received By AI Date 8-28-18 Prelim. Check By AI Date _____
 Fee Paid \$50 Date 8-28-2018 Received By TF Receipt # 5036937
 Add'l Fee Paid \$25 Date 6-24-18 Received By DM Receipt # 5036814

CAMAS COUNTY
Recorded for:
STEPHAN, KVANYIG, STONE & T
9:55:54 am 06-30-2016
2016-087245
No. Pages: 2 Fee: \$13.00
KORRI BLODGETT
County Clerk
Deputy: AFROSTENSO

QUITCLAIM DEED

Carole Ann Krahn-Kibble, formerly known as Carole Krahn, hereinafter "Grantor," does release and forever quitclaim unto James Edward Krahn, Juno Michelle Krahn and Christopher Thaddeus Krahn, tenants in common with each person owning an undivided one-third interest, whose mailing address is c/o James Edward Krahn, 900 West Meander, Eagle, ID 83616, hereinafter "Grantee," and to their heirs and assigns, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Camas County, State of Idaho, to-wit:

Township 1 North, Range 14 East, Boise Meridian, Camas County,
Idaho

Section 13: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 24: NE $\frac{1}{4}$

AND

Township 1 North, Range 15 East, Boise Meridian, Camas County,
Idaho

Section 18: Government Lots 2, 3 and 4;
Section 19: Government Lots 1, 2, 3 and 4, W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO taxes and assessments for the year 2012 and all subsequent years, and SUBJECT TO any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This property is being conveyed "AS IS, WHERE IS with all faults".

Commonly known as: RP 01N14E131800 A; RP 01N14E240100 A; RP 01N15E183600 A; and RP 01N15E193000 A

TO HAVE AND TO HOLD, all singular the said premises, together with the appurtenances, unto Grantee, and to their heirs and assigns forever.

WITNESS the hand of said Grantor this 24 day of June, 2016.

Carole Ann Krebs-Kibble

Carole Ann Krahn-Kibble, formerly known as Carole Krahn

STATE OF IDAHO)
COUNTY OF TWIN FALLS)
SS.)

On this 24th day of June, 2016, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared Carole Ann Krahn-Kibble, formerly known as Carole Krahn, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public for Idaho
My Commission Expires on 2/19/21

CAMAS COUNTY
Recorded for:
STEPHAN, KYANVIG, STONE & T/
9:59:16 am 06-30-2016
2016-087246
No. Pages: 3 Fee: \$16.00
KORRI BLODGETT
County Clerk
Deputy: AFROSTENSO

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made and executed by **Carole Ann Krahn-Kibble**, as personal representative of THE ESTATE OF DONALD EDWARD KRAHN, aka DONALD E. KRAHN, DECEASED, hereinafter referred to as the "Grantor," to **James Edward Krahn, Juno Michelle Krahn and Christopher Thaddeus Krahn**, tenants in common with each person owning an undivided one-third interest, hereinafter referred to as the "Grantee,". Notices should be mailed to James Edward Krahn, 900 West Meander, Eagle, ID 83616.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case Number CV-2016-05, in Camas County, Idaho;

THEREFORE, in accordance with the provisions of Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor estate hereby quitclaims, transfers and conveys without warranty to Grantee all of the estate's interest in the following described real property in Camas County, Idaho:

Township 1 North, Range 14 East, Boise Meridian, Camas County,
Idaho

Section 13: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 24: NE $\frac{1}{4}$

AND

Township 1 North, Range 15 East, Boise Meridian, Camas County,
Idaho

Section 18: Government Lots 2, 3 and 4;

Section 19: Government Lots 1, 2, 3 and 4, W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO taxes and assessments for the year 2012 and all subsequent years, and SUBJECT TO any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This property is being conveyed "AS IS, WHERE IS with all faults".

Commonly known as: RP 01N14E131800 A; RP 01N14E240100 A; RP 01N15E183600 A; and RP 01N15E193000 A;

SUBJECT TO taxes and assessments for the year 2016 and all subsequent years, and SUBJECT TO any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This property is being conveyed "AS IS, WHERE IS with all faults".

This transfer is exempt from the Idaho Property Condition Disclosure Act by virtue of Idaho Code § 55-2505(7).

This conveyance shall include any and all appurtenances, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The above described real property shall be the separate property of each Grantee, together with all subsequent income, rents, issues, profits, gains and appreciation thereon.

EXECUTED this 24 day of June, 2016.

THE ESTATE OF DONALD EDWARD KRAHN,
aka DONALD E. KRAHN , DECEASED

By Carole Ann Krahn-Kibble
Carole Ann Krahn-Kibble
Personal Representative

STATE OF IDAHO)

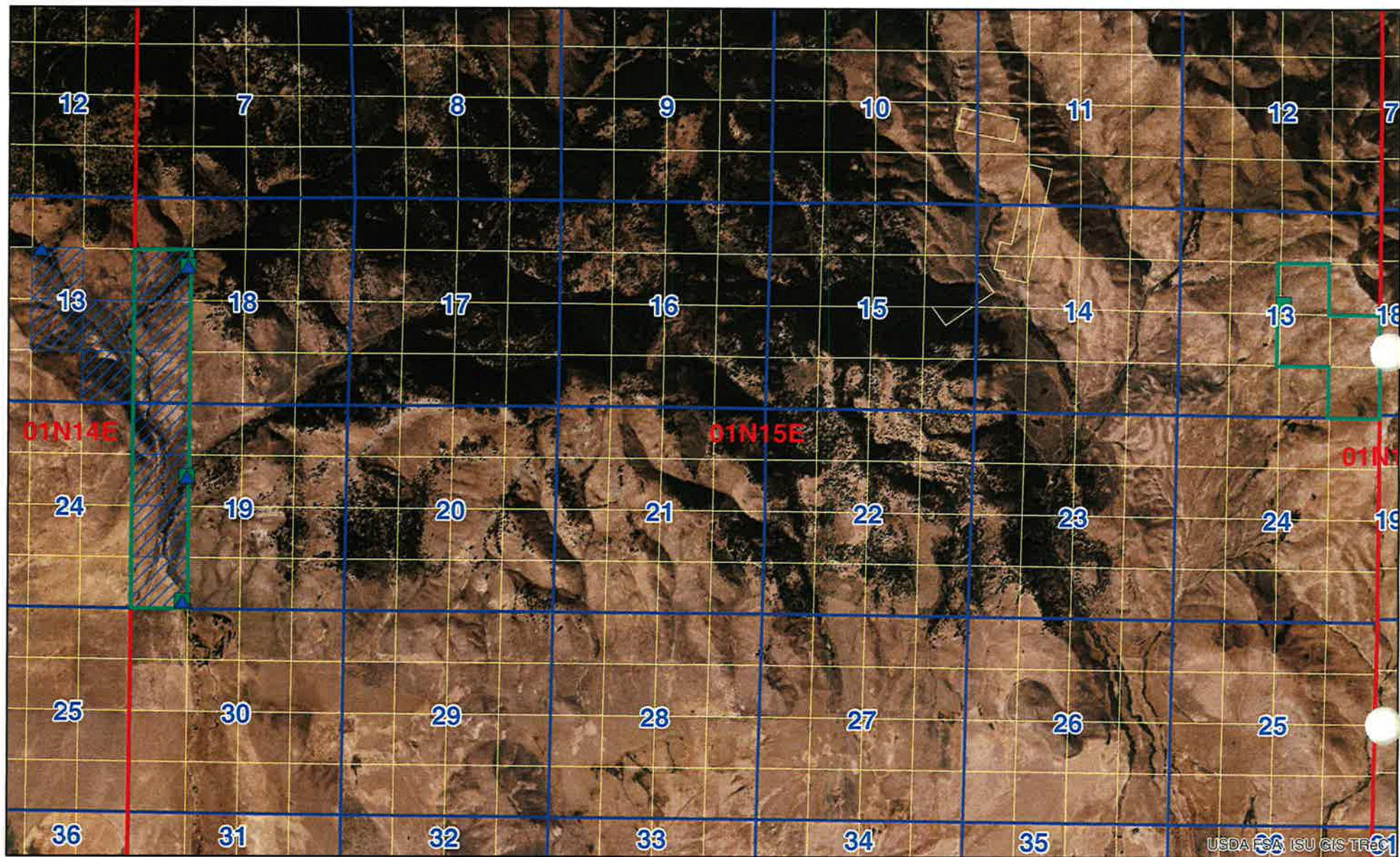
: ss.

COUNTY OF TWIN FALLS)

On this 24th day of June, 2016, before me the undersigned,
a notary public for the State of Idaho, personally appeared Carole Ann Krahn-Kibble, personally
known or proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed to the within instrument, as personal representative of THE ESTATE OF DONALD
EDWARD KRAHN, aka DONALD E. KRAHN, DECEASED, and acknowledged to me that she
executed the same as such personal representative.



Karen J. Mattice
Notary Public for Idaho
My Commission Expires on 2/19/21



Legend

- 37-22160 Current POD
- 37-22160 Current POU
- ▲ Proposed POD
- ▨ Proposed POU
- Township/Range
- Sections
- QQ

0 0.5 1 2 Miles



Transfer 82514

USDA FSA ISU GIS TRC



 Proposed POD Township/Range
 Proposed POU Sections
 QQ



Transfer 82514



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 28, 2018

JAMES KRAHN
900 W MEANDER CT
EAGLE ID 83616-2600

JUNO KRAHN
2825 SKYBROOK LN
DURHAM NC 27703-5976

CHRISTOPHER KRAHN
10228 W HARVESTER DR
BOISE ID 83709-2438

Re: Transfer No: 82514
Water Right No(s): 37-22160

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82514
Water Right No(s): 37-22160

JAMES KRAHN
900 W MEANDER CT
EAGLE ID 83616-2600

JUNO KRAHN
2825 SKYBROOK LN
DURHAM NC 27703-5976

CHRISTOPHER KRAHN
10228 W HARVESTER DR
BOISE ID 83709-2438



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: September 25, 2018
To: Transfer 82514
From: Allison Inouye
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) and place of use (POU) for in-stream stockwater right 37-22160. The application does not propose a physical change; rather, it seeks to correct the recorded locations of portions of the POD and POU of the right. It appears there is an inconsistency between the described elements of the water right and the physical location where the right has been historically used. As currently recorded, two of the beginning PODs, the ending POD, and the majority of the POU lie on property historically owned by the applicants' family within the Deer Creek drainage tributary to Camas Creek. However, the third beginning POD and a portion of the POU are described on the water right as being located approximately 6 miles to the east on property that is not owned by the applicants and is technically in the Minnehaha Creek drainage, not in the Deer Creek drainage. Therefore, it is believed that the original owner of the right identified the wrong legal description for that POD and that portion of the POU and the error was not identified during the SRBA. Modifying the legal description for those portions to reflect Range 14E rather than 15E places the entire water right within the Deer Creek drainage on property owned by the applicants.

Note also that the source listed for that beginning POD is named as 3 Spring Creek tributary to Deer Creek. That source is not listed on the USGS quad map and is not listed as a source for any other water rights in IDWR's database. I called the watermaster of Water District 37B and he indicated he has never heard of a water body called 3 Spring Creek; additionally, he reached out to a rancher familiar with the area who also indicated he has never heard of 3 Spring Creek. Therefore, in the process of this transfer, the name of the source for that POD was changed to reflect Unnamed Stream tributary to Little Deer Creek, which is consistent with the USGS quad map as well as nearby water rights.

Overlap review indicates that the applicants own 3 other water rights on the property associated with this transfer that allow diversion of 0.02 cfs from springs for de-minimus stockwater use.

- **Authority to File**

The application is filed in the name of James, Juno, & Christopher Krahn. Per IDWR records, the current owner of the water right is Donald Krahn. The applicants submitted deeds indicating their ownership of the land with appurtenances, so ownership of the right will be updated pursuant to approval of the transfer.

- **Water Right Validity**

Water right 37-22160 was decreed in the SRBA in 2008. As this right is for instream stockwater use, forfeiture would be very difficult to determine in this circumstance and is likely not an issue.

- **Injury to Other Water Rights**

None anticipated. This transfer does not propose a physical change.

- **Enlargement of Use**

None anticipated. This transfer does not propose a physical change.

- **Local Public Interest**

No issues anticipated. Transfer does not propose a physical change; therefore, advertising was not deemed to be necessary. The portions of the POD and POU proposed to be modified are described on the right as being located on a different property owned by John A Whitney III. Correspondence was sent to Mr. Whitney inquiring about any concerns regarding the proposed transfer; Mr. Whitney telephoned to say that he does not oppose approval of the transfer. The water right is geographically located in Water District 37B, but because it is for in-stream livestock use, it is not within the water district jurisdiction.

- **Beneficial Use/Conservation of Water Resources**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area**
None anticipated.
- **Effect on the Agricultural Base of the Local Area**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: September 24, 2018

To: Transfer 82514

From: Allison Inouye

Re: Telephone Memo

Mr. John Whitney called on 9/17/2018 regarding Transfer 82514. He is the owner of the property in Township 01N, Range 15E, Section 13 where one point of diversion and a portion of the place of use for water right 37-22160 are currently described but are proposed to be moved through this transfer. Mr. Whitney reviewed the information I had mailed him and does not have any concerns with the changes proposed in the transfer. He suggested that perhaps the owner of water right 37-22160 had identified the wrong range (15E rather than 14E) for that portion of the right by mistake.

MEMORANDUM

Date: September 6, 2018

To: Transfer 82514

From: Allison Inouye

Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The changes proposed in this transfer application aim to correct the legal description of the point of diversion and the place of use on the water right record. The proposed modifications do not appear to change the effect on the original or any other hydraulically connected water source or to affect other water rights because no physical changes are proposed. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: September 5, 2018

To: Transfer 82514

From: Allison Inouye

Re: Filing Fee

This transfer proposes to change only the legal description for the place of use and the point of diversion to the location where the right has been historically used; no physical change is proposed. Pursuant to Idaho Code § 42-221.O.8, the filing fee for this transfer is \$50. Additionally, the application includes a change in ownership of the water right which requires a fee of \$25 per Idaho Code § 42-248 for a total fee of \$75 (Receipt Nos. S036937 & S036814).



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 29, 2018

John A Whitney III
89 Freedom Loop
Bellevue, ID 83313-5013

Re: Application for Transfer No. 82514 for Water Right 37-22160

Dear Mr. Whitney:

The Idaho Department of Water Resources (Department) has recently received an application for transfer intending to modify a stockwater right, 37-22160, currently owned by Donald E Krahn. There is also a pending notification filed with the Department transferring ownership of the right to James, Juno, & Christopher Krahn. The transfer application seeks to correct the recorded location of this water right as it appears there is an inconsistency between the described elements of the water right and the physical location where the right has been historically used. A portion of the right is currently recorded in Township 01N, Range 15E, Section 13. According to the taxlot records available to the Department, that property is owned by you. Transfer No. 82514, if approved, will modify that portion of the water right to reflect property owned by James, Juno, & Christopher Krahn located in Township 01N, Range 14E, Section 13. I have enclosed copies of the water right as currently recorded, the water right as proposed, and the map that was submitted with the application.

The purpose of this letter is to inform you of the intent of the pending water right owners to change the location of a portion of this water right to correct the discrepancy between the recorded location and the physical place of use of this water right. If you have questions or concerns regarding this application for transfer of water right 37-22160, please contact me by mail, phone, or email at allison.inouye@idwr.idaho.gov. If no response is received within 14 days of the date of this letter, it will be assumed that you have no concerns regarding the processing of this transfer application.

Sincerely,

Allison Inouye
Water Resource Agent
Southern Region
Idaho Department of Water Resources