

RECEIVED

JUN 11 2018

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No.

82076

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**AMENDED**

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 www.idwr.idaho.gov.

Name of Applicant(s) KINPORT MANAGEMENT

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 #1-10.

- ☐ ☒ #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 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). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 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. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

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Rev. 01/15

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) KINPORT MANAGEMENT Phone 208-932-4040Mailing address PO BOX 2082, POCATELLO, ID 83206 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 RepresentativeName of Representative THOMAS J. BUDGE Phone 208-232-6101Mailing address PO BOX 1391, POCATELLO, ID 83204-1391 Email tjb@racinelaw.net

- ☐ 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.


 Signature of Applicant or Authorized Representative


 Print Name and Title if applicable

6.9.18
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 - ☐ Add diversion point(s)
☐ Change period of use
 - ☒ Change place of use
☐ Other _____
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**.
- Transfer a 167-acre portion (0.54 cfs, 263.3 af) of water right 29-2565 to a new point of diversion and place of use to be combined with water right 29-14242 to create a 258-acre place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	29-2565	0.54 / 263.3	Irrigation	3/15 to 11/15	Ground Water
☒ ☐	29-14242	1.40 / 452.4	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.94 cfs and/or 715.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.94 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SE	NW	NW	24	11S	33E	Power	Ground Water	New well for
										WR 29-14242 not
										yet completed.

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	33E	13									32.5	32.5	32	32					129
		24					32	32	32.5	32.5									129
Total Acres (for irrigation use)																			258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**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:
New ground water well for water right 29-14242 was authorized by Transfer 82029 in February 2018. The new well has not yet been constructed. New well will be regulated by WD29O and will be equipped with a flow meter.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
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

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Acres removed from existing place of use for water right 29-2565 will be dried up.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None.

- g. 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 RIGHT
PART 2A**

Current Water Right No.: 29-2565

Current Owner: JACOB ANDERSEN FARM LLC
Priority Date: 9/12/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 03/15 to 11/15
Total Diversion

0.81 CFS 394.2 AF
0.81 CFS 394.2 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4SE1/4 Sec. 7, Twp 10S, Rge 34E B.M.
(Rediversion)

POWER County

GROUND WATER

NW1/4NE1/4SE1/4 Sec. 7, Twp 10S, Rge 34E B.M.

POWER County

Place of Use

IRRIGATION Within POWER County

T10S R34E S7	NENE	28.00	T10S R34E S7	SWNE	35.00
T10S R34E S7	SENE	36.00	T10S R34E S7	NESE	31.00
T10S R34E S7	NWSE	27.00	T10S R34E S7	SWSE	39.00
T10S R34E S8	SWNE	29.00	T10S R34E S8	NENW	6.00
T10S R34E S8	NWNW	39.00	T10S R34E S8	SWNW	40.00
T10S R34E S8	SENW	20.00	T10S R34E S8	NESW	39.00
T10S R34E S8	NWSW	40.00			

Total Acres: 409

Conditions of Approval:

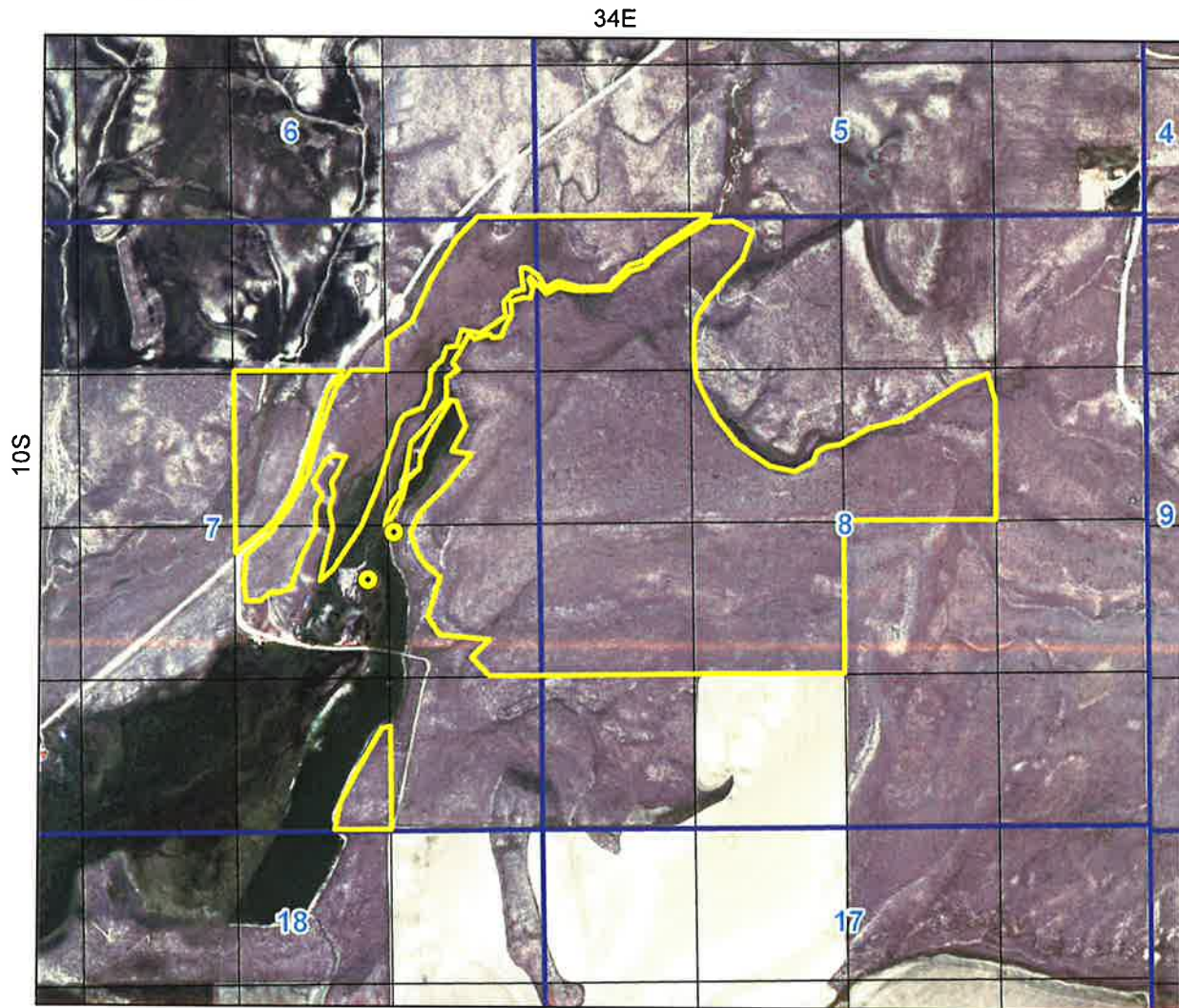
1. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
2. X35 Rights 29-2565, 29-14164, 29-14165, 29-14166, 29-14167 and 29-14249 when combined shall not exceed the irrigation of 409 acres.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. X27 This right is limited to the irrigation of 250 acres within the authorized place of use in a single irrigation season.

State of Idaho
Department of Water Resources

**Water Right
29-2565**

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.



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

0 0.175 0.35 0.7 Miles



Map produced on October 11, 2016

82076

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-14242

Current Owner: JACOB ANDERSEN FARM LLC
Priority Date: 12/11/1962
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.4 CFS	452.4 AF
	<u>Total Diversion</u>	1.4 CFS	452.4 AF

Location of Point(s) of Diversion

GROUND WATER
POWER County

SE1/4NW1/4NW1/4 Sec. 24, Twp 11S, Rge 33E B.M.

Place of Use

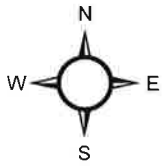
IRRIGATION Within POWER County

T11S R33E S24	NENW	22.70	T11S R33E S24	NWNW	22.70
T11S R33E S24	SWNW	22.80	T11S R33E S24	SENE	22.80
Total Acres: 91					

Conditions of Approval:

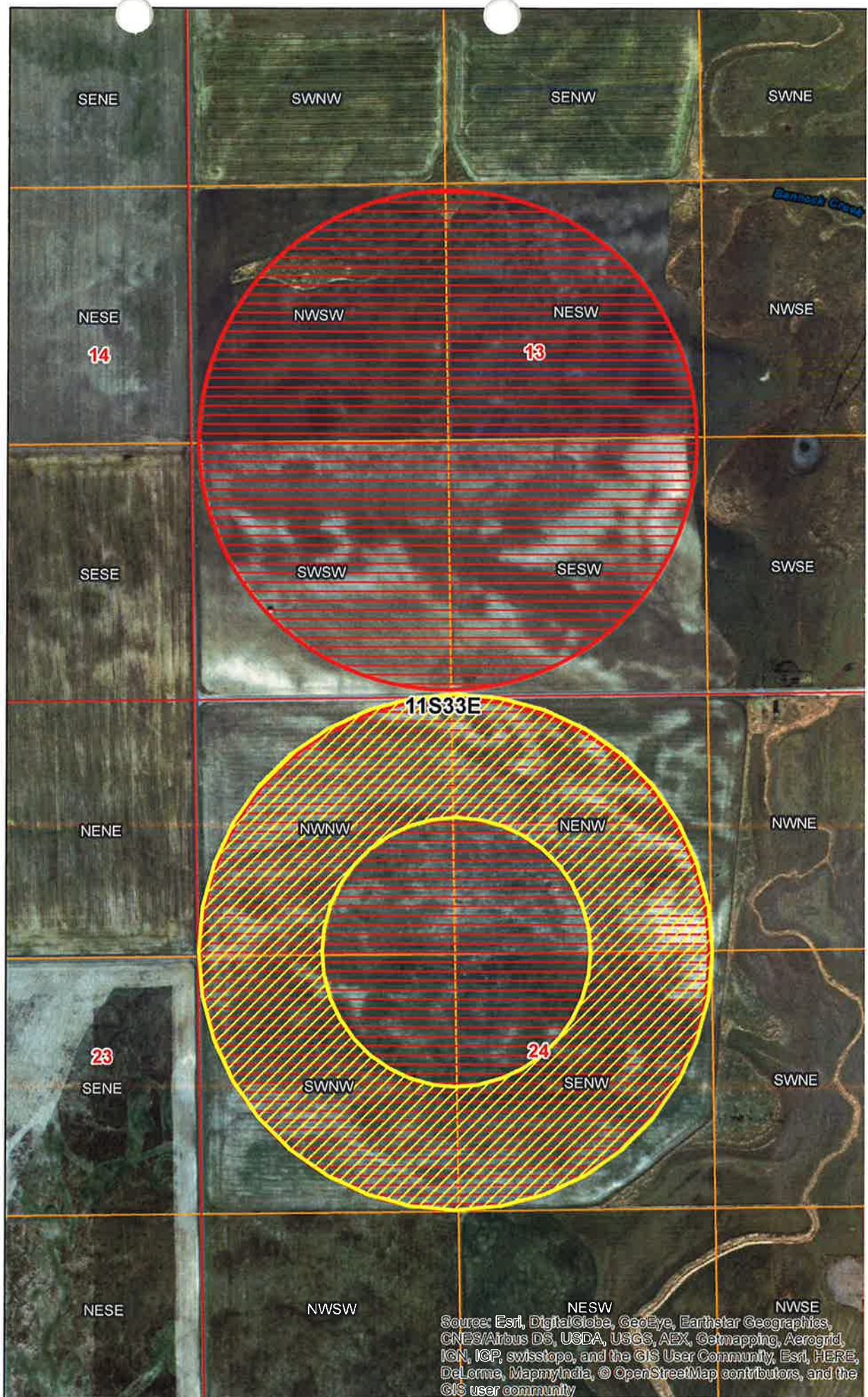
1. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
2. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 290.
4. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 131 Prior to the diversion and use of water under Transfer approval 82029, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Decreed Date: 3/22/2004



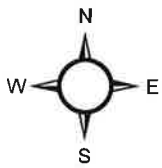
Legend

- Current POU
- New POU
- TR Lines
- Section Lines
- Quarter Quarters



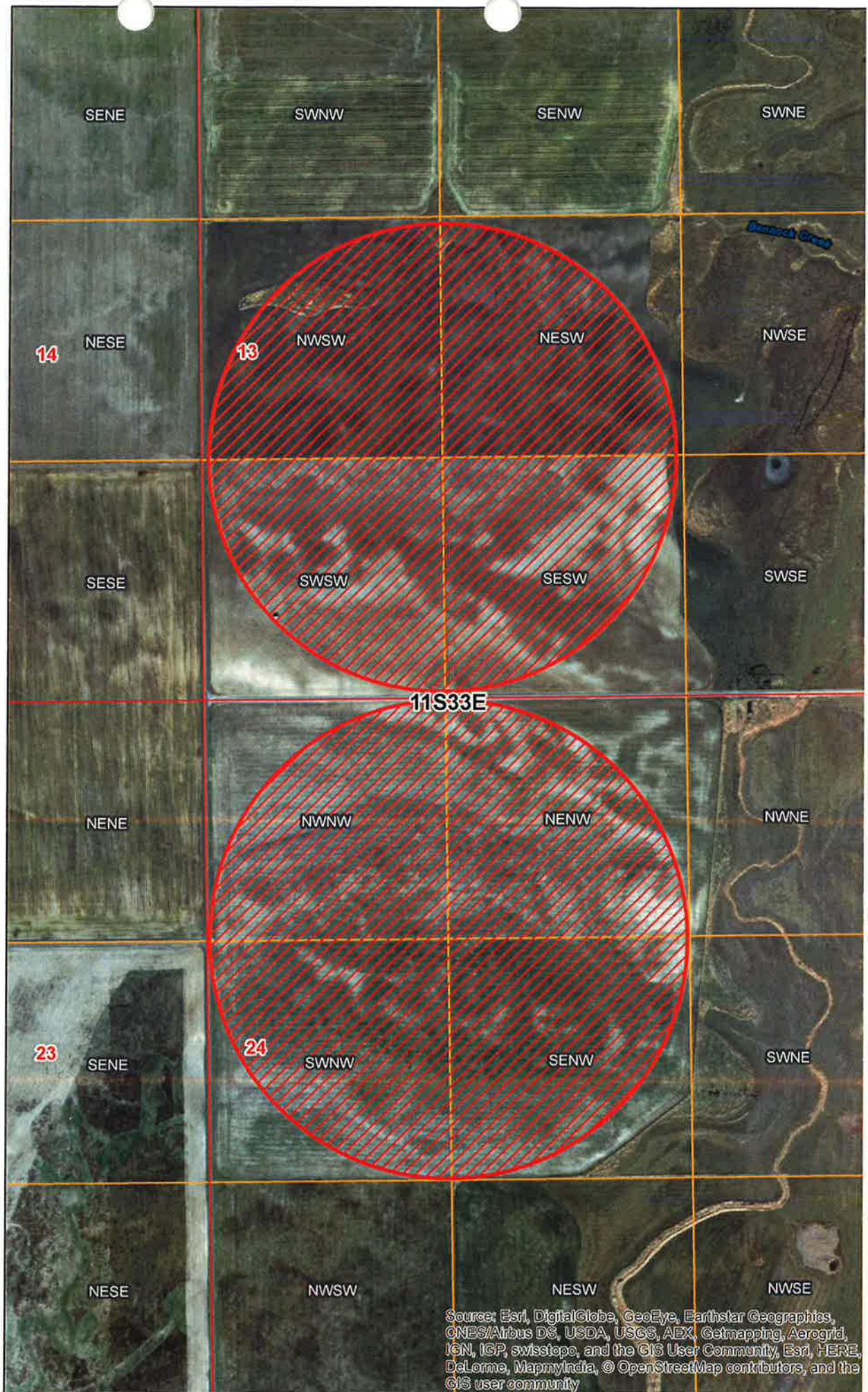
936.45117.06

82076



Legend

-  New POU (Church)
-  TR Lines
-  Section Lines
-  Quarter Quarters



936.45117.06

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

82076

ATTACHMENT 2a



CERTIFICATE OF ASSUMED BUSINESS NAME

Title 30, Chapter 21, Part 8, Idaho Code.

Filing fee: \$25.00.

FILED EFFECTIVE

2017 JUN -5 PM 1:58

SECRETARY OF STATE
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Kinport Management

2. The individual and/or entity names and business address(es) of those doing business under the assumed business name (do not include the name you listed in #1):

Jacob Andersen Farm, LLC 1170 Lusk Loop, Arbon, Idaho 83212

(Name) (W120206) (Address)

(Name) (Address)

(Name) (Address)

(Name) (Address)

3. The general type of business transacted under the assumed business name is:

☐ Retail Trade

☐ Wholesale Trade

☐ Services

☐ Construction

☒ Agriculture

☐ Manufacturing

☐ Transportation and Public Utilities

☐ Mining

☐ Finance, Insurance, and Real Estate

4. Mailing address for future correspondence:

Kinport Management

(Name)

PO Box 2082

(Address)

Pocatello, Idaho 83206

(City)

(State)

(Zipcode)

5. Name and address for this acknowledgment copy is (if other than # 4):

Willard Lynn Andersen

(Name)

1258 Andersen Road

(Address)

Arbon, Idaho 83212

(City)

(State)

(Zipcode)

Printed Name: Jacob Andersen, Manager

Signature: [Signature]

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Secretary of State use only

IDAHO SECRETARY OF STATE

06/06/2017 05:00

CK:5908 CT:169988 HH:1587474

10 25.00 = 25.00 ASSUM NAME #2

D194945

ATTACHMENT 4

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Jacob Andersen Farm, LLC, doing business as Kinport Management, hereby appoints the law firm of RACINE OLSON NYE & BUDGE, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

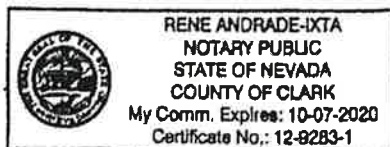
DATED this 2nd day of June, 2017

Jacob Andersen Farm, LLC D/B/A/ Kinport Management

By: [Signature]
Anthony Jacob Andersen, Manager

STATE OF ~~IDAHO~~ Nevada)
County of Clark) :ss

On this 2nd day of June, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony Jacob Andersen, known to me to be the person whose name is subscribed to the foregoing and the Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management, and acknowledged to me that he executed the same as Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management.



[Signature]
NOTARY PUBLIC FOR Nevada, Clark County
Commission expires: 10-07-2020

WATER RIGHT ALLOCATION AGREEMENT

William H. Bolingbroke, individually ("William") and as Personal Representative of the Estate of Dale A. Bolingbroke (the "Estate"), Robert Bodlak and Rhonda Bodlak, husband and wife (the "Bodlaks"), Jeffrey L. Campbell and Katie Campbell, husband and wife (the "Campbells"), and Jacob Andersen Farm, LLC ("Andersen") enter into this Water Right Allocation Agreement ("Agreement") for the purpose of defining their respective interests in water right nos. 29-477, 29-13234, 29-10857 and 29-2565 (the "Bolingbroke Rights") as decreed in the Snake River Basin Adjudication ("SRBA") by the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls in the Final Decree entered August 26, 2014, *In re SRBA case no. 39576*. William, the Estate, the Bodlaks, the Campbells, and Andersen are referred to herein individually as a "Party" and collectively as the "Parties".

The Bolingbroke Rights were decreed in the SRBA to the same 409 acre place of use. The Bolingbroke Rights have subsequently been conveyed to William, the Bodlaks, and Andersen, resulting in several splits of the Bolingbroke Rights. However, many of the split rights continue to share the same place of use. The purpose of this Agreement is to properly allocate the Bolingbroke Rights among the current owners thereof.

The records of the Idaho Department of Water Resources presently identify the owners of the Bolingbroke Rights and progeny thereof as follows: (a) water right nos. 29-477, 29-13234 and 29-10857 in the name of Dale A. Bolingbroke, deceased; (b) water right nos. 29-14247 and 29-14249 in the name of William; (c) water right nos. 29-14164, 29-14165, 29-14166, 29-14167 in the name of the Bodlaks; and (d) water right no. 29-2565 in the name of Andersen.

The Campbells own land to which the Bolingbroke Rights are appurtenant. The Campbells have conveyed their interest in water right no. 29-2565 to Andersen. The Campbells hereby quitclaim any interest they may have in the remaining Bolingbroke Rights and progeny thereof to the other Parties in such quantities as are needed to accomplish the allocation set forth below.

The Estate is the successor in interest to all water rights owned by Dale A. Bolingbroke. The Estate hereby acknowledges that all interests in the Bolingbroke Rights have been conveyed to William, the Bodlaks, or Andersen. The Estate hereby quitclaims any interest it may have in the Bolingbroke Rights and progeny thereof to the other Parties in such quantities as are needed to accomplish the allocation set forth below.

The Parties agree that the Bolingbroke Rights are presently owned as set forth in the following table:

Owner	WR#	Source	CFS	AF	Acres
William H. Bolingbroke	29-14249	Rattlesnake Creek	0.42	n/a	40
	29-14247	Rattlesnake Creek	0	0	0
Rhonda Bodlak & Robert Bodlak	29-14164	Rattlesnake Creek	0.28	n/a	119
	29-14165	Ground Water	0.23	111.2	
	29-14166	Spring	0.08	n/a	
	29-14167	Rattlesnake Creek	n/a	198.5	
Jacob Andersen Farm, LLC	29-2565	Ground Water	0.81	411.7	250
Jeffer L. Campbell & Katie Campbell	none				
Estate of Dale A. Bolingbroke	29-477	Rattlesnake Creek	0	0	0
	29-13234	Rattlesnake Creek	0	0	0
	29-10857	Spring	0	0	0

To the extent the foregoing water right allocation requires a conveyance of any interest in the Bolingbroke Rights from one Party to another Party, this Agreement shall constitute a quitclaim conveyance of such interest.

The Parties acknowledge and agree that water right nos. 29-477, 29-13234 and 29-10857 have been fully conveyed to William and the Bodlaks as set forth in the above table, and that water right no. 29-14247 has been fully conveyed to the Bodlaks as set forth in the above table, that no water remains associated with these water right numbers, and that these water right numbers are of no further force or effect and may be extinguished or rendered inactive by IDWR.

[End of Agreement; Signatures Below]

COUNTERPART SIGNATURE PAGE

DATED this 24th day of March, 2018.

William H. Bolingbroke

William H. Bolingbroke, individually and as
Personal Representative of the Estate of Dale A.
Bolingbroke

STATE OF Maryland)
: ss.
County of Frederick)

This record was acknowledged before me on this 24th day of March, 2018, by William H. Bolingbroke, individually and as Personal Representative of the Estate of Dale A. Bolingbroke.

[Signature]

NOTARY PUBLIC FOR State of Maryland
My Commission Expires: 6/9/2018

(SEAL)



COUNTERPART SIGNATURE PAGE

DATED this 28TH day of March, 2018.

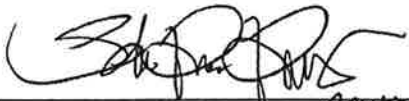

Rhonda Bodlak


Robert Bodlak

STATE OF CALIFORNIA)
County of SAN MATEO : ss.

This record was acknowledged before me on this 28TH day of March, 2018, by Rhonda Bodlak and Robert Bodlak.

(SEAL)


NOTARY PUBLIC FOR CALIFORNIA, SAN MATEO COUNTY
My Commission Expires: 05/24/2014

** SEE INSTRUMENT* 

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

S.S.

On March 28, 2018 before me, John Reginald Roxas, Notary Public

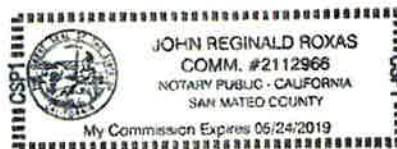
personally appeared Rhonda Bodlak

Robert Bodlak

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



OPTIONAL INFORMATION

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Water Right Allocation Agreement - Counterpart Signature Page

containing 6 pages, and dated 03/28/2018

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
☐ Attorney-in-fact
☐ Corporate Officer(s) _____

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- ☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on.

Page # _____ Entry # _____

Notary contact: _____

Other

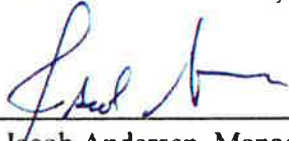
- ☐ Additional Signer ☐ Signer(s) Thumbprints(s)

☐ _____

COUNTERPART SIGNATURE PAGE

DATED this 13th day of March, 2018.

JACOB ANDERSEN FARM, LLC

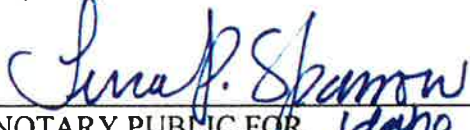
By: 
Jacob Andersen, Manager

STATE OF IDAHO)
County of Bannock) : ss.

This record was acknowledged before me on this 13th day of March, 2018, by Jacob Andersen, as Manager of Jacob Andersen Farm, LLC.

(SEAL)




NOTARY PUBLIC FOR Idaho
My Commission Expires: 10/05/2021

COUNTERPART SIGNATURE PAGE

DATED this 19th day of March, 2018.

Jeffrey L. Campbell
Jeffrey L. Campbell

Katie Campbell
Katie Campbell

STATE OF IDAHO)
County of Bannock) : ss.

This record was acknowledged before me on this 19th day of March, 2018, by Jeffrey L. Campbell and Katie Campbell.

(SEAL)



Tessa P. Sparrow
NOTARY PUBLIC FOR Idaho
My Commission Expires: 10/05/2021

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Dale Bollingbroke, P.O. Box 15, Arbon, Idaho 83212 ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Jacob Andersen**, 238 Crystal Court, Mesquite, Nevada 89027 ("Grantee"), and to Grantee's heirs, successors, and assigns forever, all of Grantor's right, title and interest in Idaho water right no. 29-2565 as described in **Exhibit A** hereto (the "Water Right"). Grantor retains no residual or reversionary interest in any of the Water Right, and covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner in fee simple of the Water Right;
- (B) that Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) that each of the Water Right is free from all liens, claims, or encumbrances;
- (D) that Grantor has the authority to convey the Water Right to Grantee; and

Dale Bollingbroke 10-20-16
Dale Bollingbroke Date

Instrument # 209876

POWER COUNTY, IDAHO

10-24-2016 03:36:23 PM No. of Pages: 4

Recorded for : RACINE, OLSON, NYE, BUDGE

SHAREE SPRAGUE

Fee: 19.00

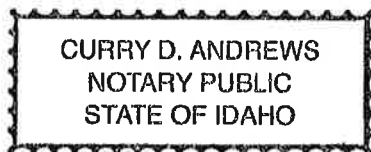
Ex-Officio Recorder Deputy

STATE OF IDAHO)

: ss.

COUNTY OF BANNOCK)

On this 20th day of October, 2016, before me, the undersigned, a notary public in and for said state, personally appeared **Dale Bollingbroke**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



[Signature]
Notary Public for IDAHO
Residing at 202 Idaho St., American Falls, ID
Commission expires 6-23-2021

Instrument # 211832

POWER COUNTY, IDAHO

11-2-2017 10:25:45 AM No. of Pages: 1

Recorded for: JACOB ANDERSEN

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

[Signature]

QUITCLAIM DEED

For value received JEFFREY L. CAMPBELL and KATIE CAMPBELL ("Grantor"), does hereby release and forever quitclaim unto JACOB ANDERSEN ("Grantee"), whose address is 238 Crystal Court, Mesquite, Nevada 89027, and his heirs and assigns forever, all right, title and interest in Idaho water right no. 29-2565.

Dated this 1st day of Nov, 2017.

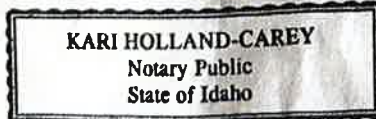
[Signature: Jeffrey L. Campbell]
JEFFREY L. CAMPBELL

[Signature: Katie Campbell]
KATIE CAMPBELL

STATE OF Idaho)
County of Bannock) : ss.

This record was acknowledged before me on this 1st day of November, 2017, by Jeffrey L. Campbell and Katie Campbell.

(SEAL)



[Signature: Kari Holland-Carey]
NOTARY PUBLIC FOR Idaho
My Commission Expires: September 9, 2023

Instrument # 211975

POWER COUNTY, IDAHO

12-27-2017 11:21:45 AM No. of Pages: 5

Recorded for : CURRY D. ANDREWS

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
ELIASSEN & ANDREWS, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Water Rights Notices to:

Jacob Andersen Farm, LLC
A. Jacob Andersen
1170 Lusk Loop
Arbon, ID 83212

GRANTOR: WILLIAM H. BOLINGBROKE
GRANTEE: JACOB ANDERSEN FARM, LLC
WATER RIGHT NUMBER: 29-2565

QUIT CLAIM DEED

THE UNDERSIGNED Grantor, WILLIAM H. BOLINGBROKE, for value received does hereby quit claim, grant, bargain, sell and convey to Grantee, JACOB ANDERSEN FARM, LLC, all of his interest in the following described water right, situated in the County of Power, State of Idaho, legally described as:

See Exhibit A

TO HAVE AND TO HOLD the said water right unto the said Grantee, its heirs and assigns forever.

DATED: December 9, 2017

William H. Bolingbroke

WILLIAM H. BOLINGBROKE, Grantor

STATE OF Maryland)
) ss.
COUNTY OF Montgomery)



On this day personally appeared before me William H. Bolingbroke to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 9th day of December, 2017.

Richard H. Brown

NOTARY PUBLIC in and for the State of Maryland,
Residing in: Montgomery
My Commission Expires:

RICHARD H. BROWN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 24, 2018

QUIT CLAIM DEED - 1

82076

Instrument # 211976

POWER CO. Y, IDAHO

12-27-2017 11:22:34 AM No. of Pages: 6

Recorded for : DURRY D. ANDREWS

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
ELIASSEN & ANDREWS, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Water Rights Notices to:

Jacob Andersen Farm, LLC
A. Jacob Andersen
1170 Lusk Loop
Arbon, ID 83212

GRANTOR: PATRICIA BOLINGBROKE
GRANTEE: JACOB ANDERSEN FARM, LLLC
WATER RIGHT NUMBER: 29-2565

QUIT CLAIM DEED

THE UNDERSIGNED Grantor, PATRICIA BOLINGBROKE, for value received does hereby quit claim, grant, bargain, sell and convey to Grantee, JACOB ANDERSEN FARM, LLC, all of her interest in the following described water right, situated in the County of Power, State of Idaho, legally described as:

See Exhibit A

TO HAVE AND TO HOLD the said water right unto the said Grantee, its heirs and assigns forever.

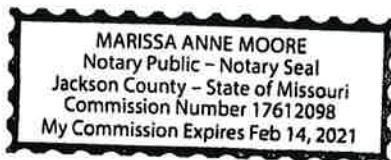
DATED: Dec. 23, 2017

Patricia Bolingbroke
PATRICIA BOLINGBROKE, Grantor

STATE OF Missouri)
) ss.
COUNTY OF Jackson)

On this day personally appeared before me Patricia Bolingbroke to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 23rd day of December, 2017.



Marissa Anne Moore
NOTARY PUBLIC in and for the State of
Residing in:
My Commission Expires:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 07 2018

Department of Water Resources
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) KINPORT MANAGEMENT Phone 208-932-4040

Mailing address P. O. BOX 2082, POCA TELLO, IDAHO 83206 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.

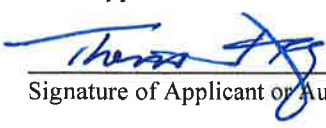
☐ No Representative

Name of Representative THOMAS J. BUDGE Phone 208-232-6101

Mailing address P. O. BOX 1391, POCA TELLO, IDAHO 83204-1391 Email tjb@racinelaw.net

- ☒ 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.


Signature of Applicant or Authorized Representative

THOMAS J. BUDGE
Print Name and Title if applicable

5-1-18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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**.
REARRANGE THE PLACE OF USE FOR WATER RIGHT NO. 29-14242 IN CONNECTION WITH TRANSFER OF
A 0.54 CFS PORTION OF 29-2565

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	29-14242	1.4/452.4	IRRIGATION	03/15 to 11/15	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.4 cfs and/or 452.4 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.4 cubic feet per second and/or 452.4 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	33E	24					32	32	32.5	32.5									129
11S	33E	13									32.5	32.5	32	32					129
Total Acres (for irrigation use)																			258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

GROUND WATER WELL

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: _____

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

LANDS WILL CONTINUE TO BE IRRIGATED UNDER 29-14212 AND A 0.54 CFS PORTION OF 29-2565
BEING TRANSFERRED TO COVER THE SAME PLACE OF USE

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

A 0.54 CFS PORTION OF 29-2565 IS BEING TRANSFERRED TO COVER THE SAME PLACE OF USE

- g. 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 07 2018

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) KINPORT MANAGEMENT Phone 208-932-4040

Mailing address P. O. BOX 2082, POCA TELLO, IDAHO 83206 Email **SUPERCEDED**

- ☐ 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 THOMAS J. BUDGE Phone 208-232-6101

Mailing address P. O. BOX 1391, POCA TELLO, IDAHO 83204-1391 Email tjb@racinelaw.net

- ☒ 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.


Signature of Applicant or Authorized Representative

THOMAS J. BUDGE
Print Name and Title if applicable

5-1-18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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**.

TRANSFER A 129 ACRE PORTION OF WATER RIGHT 29-2565 TO NEW PLACE OF USE TO BE COMBINED
WITH 29-14242

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	29-2565	0.54/261	IRRIGATION	03/15 to 11/15	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.85 cfs and/or 411.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.54 cubic feet per second and/or 124.4 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SE	NW	NW	24	11S	33E	POWER	GROUND WATER	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	33E	24					32	32	32.5	32.5									129
11S	33E	13									32.5	32.5	32	32					129
Total Acres (for irrigation use)																			258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

GROUND WATER WELL

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: _____

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

LAND WILL BE DRIED UP

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

WATER RIGHT NO. 29-14242 HAS THE SAME PLACE OF USE

- g. 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED
DEC 28 2017

Name of Applicant(s) Kinport Management

Phone Department of Water Resources
Eastern Region

Mailing address PO Box 2082, Pocatello, ID 83206

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 Thomas J Budge

Phone 208-232-6101

Mailing address PO Box 1391, Pocatello, ID 83204

Email tjb@racinelaw.net

- ☐ 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**.

SUPERCEDED

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.

Thomas J. Budge
Signature of Applicant or Authorized Representative

Thomas J Budge, attorney
Print Name and Title if applicable

6/5/2017
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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**.
 Change place of use of a 114 acre portion of water right 29-2565 and add new POD for changed portion

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☒	29-2565	0.56	Irrigation	3/15 to 11/15	Ground Water
☐ ☒	29-2565	0.29	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.85 cfs and/or 411.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.29 cubic feet per second and/or 140.9 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N		NW	NE	SE	7	10S	34E	Power	Ground Water	
N		NE	NW	SE	7	10S	34E	Power	Ground Water	
Y		NE	NW	NW	36	11S	33E	Power	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	34E	7	20		35	4.2										3	6		68.2
10S	34E	8			29		6	27	15	20	39	15							151
11S	33E	36	17	35	35	17	5			5									114
Total Acres (for irrigation use)																			333.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**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:

Well with ~~diesel pump~~ electric pump, mainline, and flow meter.

- b. Who owns the property at the point(s) of diversion? Applicant's father, W. Lynn Andersen

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

Applicant has an easement agreement and leases these fields from his father.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: No

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Land will not be irrigated

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

New place of use will share the point of diversion and irrigation mainline used by water right 29-13708 which is owned by Applicant.

- g. 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 RIGHT
PART 2A**

Current Water Right No.: 29-2565

Current Owner: JACOB ANDERSEN FARM LLC
Priority Date: 9/12/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.85 CFS	411.7 AF
	<u>Total Diversion</u>	0.85 CFS	411.7 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SE1/4	Sec. 7,	Twp 10S,	Rge 34E B.M.
POWER County		(Rediversion)		
GROUND WATER	NW1/4NE1/4SE1/4	Sec. 7,	Twp 10S,	Rge 34E B.M.
POWER County				

Place of Use

IRRIGATION Within POWER County

T10S R34E S7	NENE	28.00	T10S R34E S7	SWNE	35.00
T10S R34E S7	SENE	29.20	T10S R34E S7	NESE	19.00
T10S R34E S7	NWSE	3.00	T10S R34E S7	SWSE	6.00
T10S R34E S8	SWNE	29.00	T10S R34E S8	NENW	6.00
T10S R34E S8	NWNW	39.00	T10S R34E S8	SWNW	40.00
T10S R34E S8	SENE	20.00	T10S R34E S8	NESW	39.00
T10S R34E S8	NWSW	40.00			

Total Acres: 333.2

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 333.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00447, 29-02565, 29-10857, and 29-13234.
2. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ 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 any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ 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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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 is no handwriting or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$500 Date 6/7/17 Received by SC Receipt # E043075

Add'l fee paid _____ Date _____ Received by _____ Receipt # 2043073

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

82076

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Jacob Andersen Farm, LLC, doing business as Kinport Management, hereby appoints the law firm of RACINE OLSON NYE & BUDGE, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

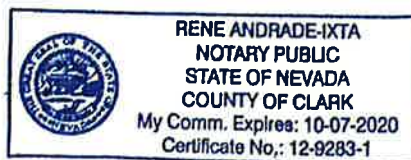
DATED this 2nd day of June, 2017

Jacob Andersen Farm, LLC D/B/A/ Kinport Management

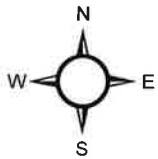
By: [Signature]
Anthony Jacob Andersen, Manager

STATE OF ~~IDAHO~~ Nevada)
County of Clark) :SS

On this 2nd day of June, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony Jacob Andersen, known to me to be the person whose name is subscribed to the foregoing and the Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management, and acknowledged to me that he executed the same as Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management.

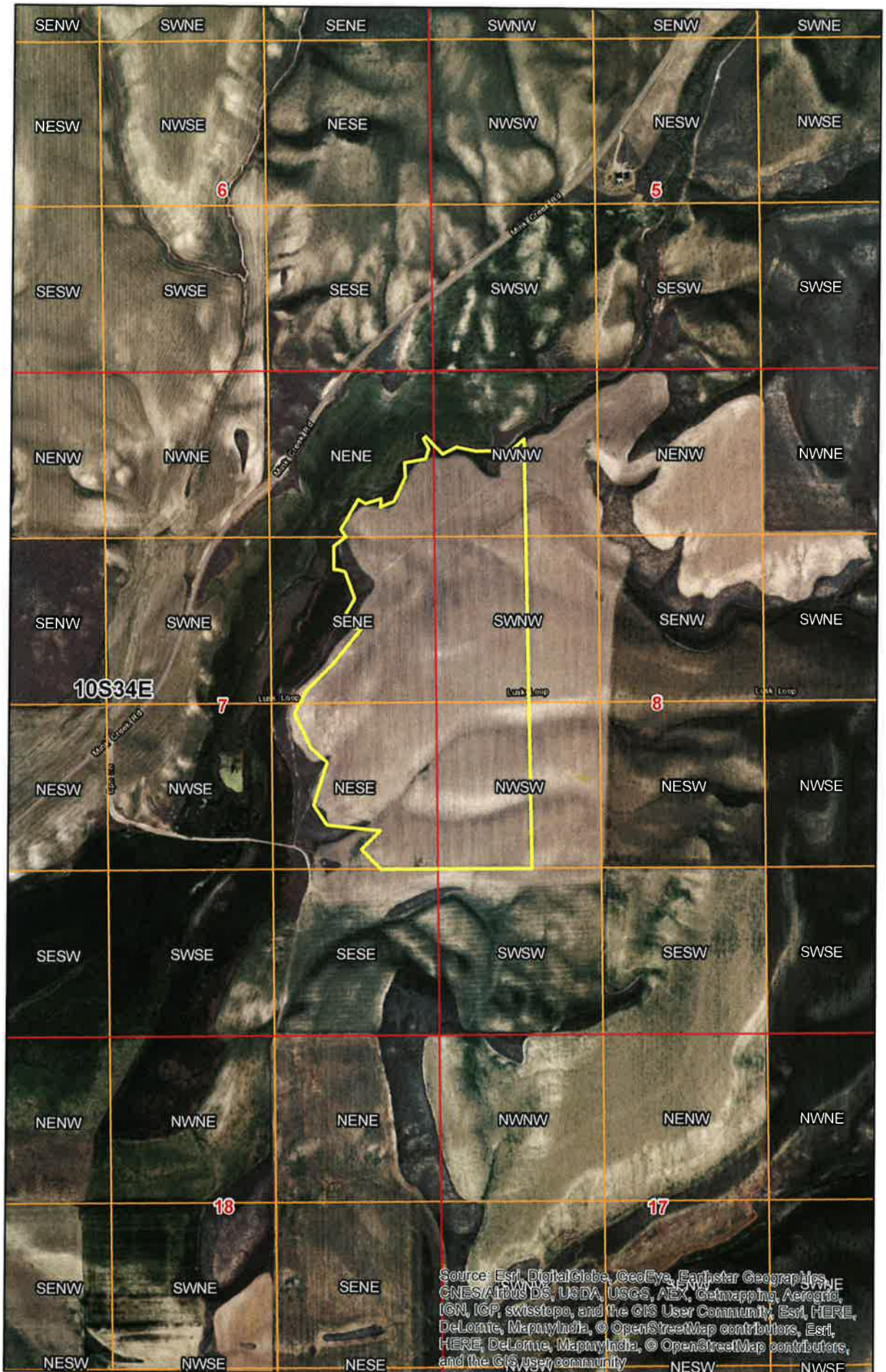


[Signature]
NOTARY PUBLIC FOR Nevada, Clark County
Commission expires: 10-07-2020



Legend

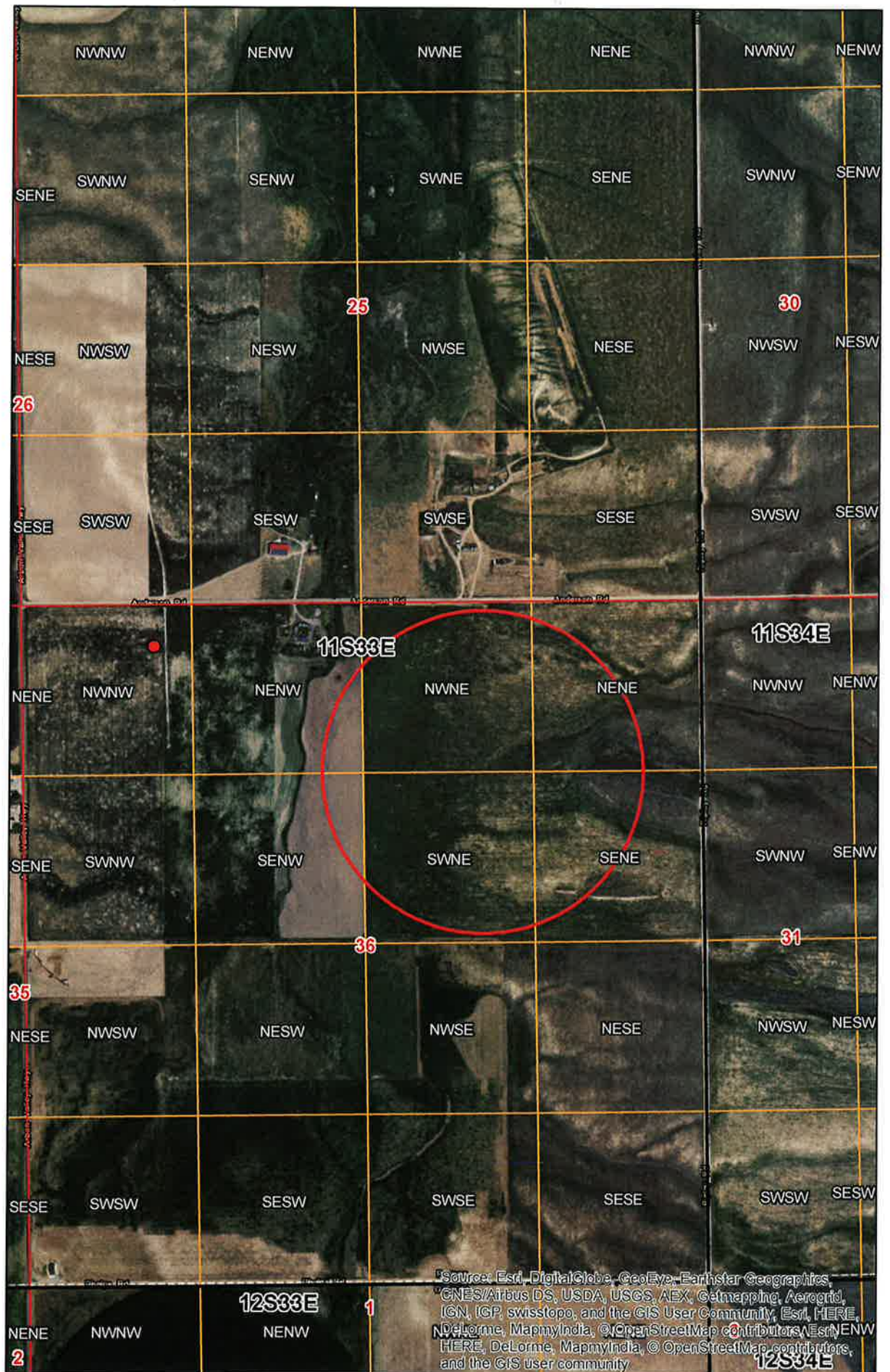
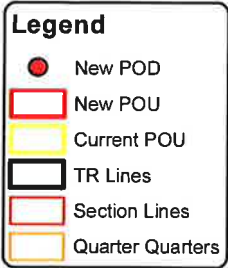
- New POD
- New POU
- Current POU
- TR Lines
- Section Lines
- Quarter Quarters



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



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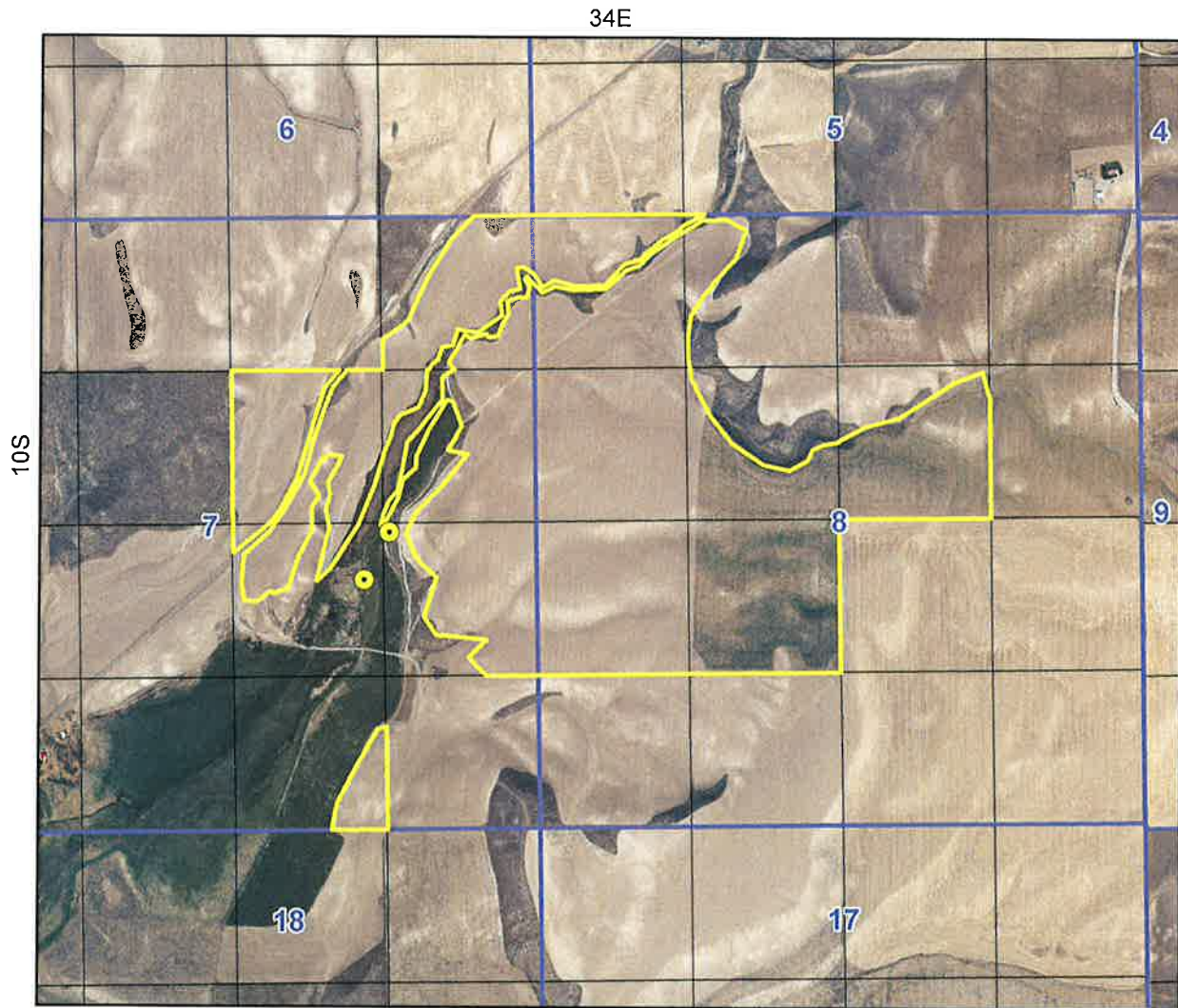
82076

State of Idaho
Department of Water Resources

Water Right
29-2565

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.



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

0 0.175 0.35 0.7 Miles



82076

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Jacob Andersen Farm, LLC, doing business as Kinport Management, hereby appoints the law firm of RACINE OLSON NYE & BUDGE, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

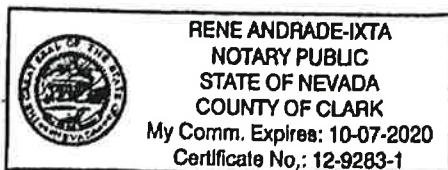
DATED this 2nd day of June, 2017

Jacob Andersen Farm, LLC D/B/A/ Kinport Management

By: [Signature]
Anthony Jacob Andersen, Manager

STATE OF ~~IDAHO~~ ^{Nevada})
County of Clark) :SS

On this 2nd day of June, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony Jacob Andersen, known to me to be the person whose name is subscribed to the foregoing and the Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management, and acknowledged to me that he executed the same as Manager of Jacob Andersen Farm, LLC, doing business as Kinport Management.



[Signature]
NOTARY PUBLIC FOR Nevada, Clark County
Commission expires: 10-07-2020

May 3, 2018

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

Re: Kinport Management Transfer applications

Dear James:

Enclosed are six transfer applications filed on behalf of Kinport Management (a DBA of Jacob Andersen Farm, LLC). You will recall that Jacob Andersen Farm, LLC acquired water right 29-2565 from Dale Bolingbroke, and that Mr. Andersen and the other owners of the Bolingbroke water rights recently entered into a Water Right Allocation Agreement that allocates between them the diversion rate and acres associated with the Dale Bolingbroke water rights. The purpose of the enclosed transfer applications is to move the portion of water right 29-2565 owned by Jacob Andersen Farm, LLC, to lands where Kinport Management is able to place them to beneficial use.

Kinport Management desires to split its share of water right 29-2565 into three parts to be combined with water right nos. 29-14242, 29-14187 and 29-2470. Combining parts of 29-2565 with these three water rights will allow Kinport Management to install center pivots. Consequently, it is necessary that the current places of use of these three water rights also be changed to accommodate pivot irrigation. Thus, there are six total transfer applications enclosed herewith.

The transfers of 29-2565 should be viewed as companion applications with the other three transfers. Specifically, the 0.54 cfs portion of 29-2565 is associated with 29-14242, the 0.13 cfs portion of 29-2565 is associated with 29-14187, and the 0.14 cfs portion of 29-2565 is associated with 29-2470. We view these as three separate sets of transfer, and we kindly ask that the two applications within each set be processed in tandem since the installation of pivot irrigation is dependent on both applications being approved.

By our calculation these six transfer applications require a cumulative filing fee of \$2,640, calculated as follows: 29-14242 (\$580), 0.54 cfs portion of 29-2565 (\$500), 29-14187 (\$500), 0.13 cfs portion of 29-2565 (\$200), 29-2470 (\$660), and 0.14 cfs portion of 29-2565 (\$200). Please let us know if you calculate the filing fees differently. Enclosed herewith is a check in the amount of \$2,640 for the cumulative filing fee as we have calculated.

There is the original and one copy of each application enclosed herewith. Please file the originals and conform stamp and return the copies to me in the enclosed return envelope.

Should you have any questions, please give me a call.

Sincerely,



T.J BUDGE

c: Jacob Andersen