

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 26 2013

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-14213 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: KRYST R KREIN and MELISSA KREIN
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KBC Farms LLC
Name of each new owner as listed on the conveyance document
3010 McKinley
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
- Mailing address
American Falls Idaho 83211
City State ZIP
- Telephone _____ Email _____

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: November 21, 2013

6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: *KBC Farms LLC by Shaen Kreyer* gen. mgr. 11-21-13
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *[Signature]* Date 11/26/2013 Receipt No. E039332 Receipt Amt. \$25.-
Approved by *[Signature]* Processed by *[Signature]* Date 12/12/2013

Instrument # 205232

POWER COUNTY, IDAHO

12-8-2013 01:07:26 No. of Pages: 1

Recorded for : KOOMPIN BROTHERS, LLC

CHRISTINE STEINLICHT

Ex-Officio Recorder Deputy

Fee: 10.00

re-recording # 205182
to correct legal.

QUITCLAIM DEED

For value received, Kryst Krein and Melissa Krein, as grantors hereby quitclaims unto KBC Farms, LLC the grantee whose current address is 3010 McKinley, American Falls, Idaho 83211, all of the grantor's right, title, and interest in and to the following described water rights situated in Power County, Idaho.

The entire water right 35-14213, priority date 12/15/1977, for 0.75 cfs, 175.5 acre feet annually and irrigation of 50.2 acres.

Grantor has caused this quitclaim deed to be executed this 21 day of **November**, 2013.

By:

Kryst Krein
Kryst Krein

Melissa Krein
Melissa Krein

State of Idaho)

) S.S.

County of Power)

On this 21 day of **November**, in the year **2013**, before me, a Notary Public personally appeared **Kryst Krein & Melissa Krein**, proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.



Amanda Givens

Notary Public

Residing at: American Falls, ID

Commission Expires: Sept 3, 2015

Instrument # 205182

POWER COUNTY, IDAHO

11-25-2013 02:28:36 No. of Pages: 1

Recorded for : KOOMPIN BROTHERS LLC

CHRISTINE STEINLICHT

Ex-Officio Recorder Deputy

Fee: 10.00

Carol Steinfeld

QUITCLAIM DEED

For value received, Kryst Krein and Melissa Krein, as grantors hereby quitclaims unto KBC Farms LLC the grantee whose current address is 3010 McKinley, American Falls, Idaho 83211, all of the grantor's right, title, and interest in and to the following described water rights situated in Power County, Idaho.

A portion of water right 35-14213, priority date 12/15/1977, for 0.75 cfs, 175.7 acre feet annually and irrigation of 50.2 acres.

Grantor has caused this quitclaim deed to be executed this 21 day of November, 2013.

By:

Kryst Krein
Kryst Krein

Melissa Krein
Melissa Krein

President
<TITLE>

Secretary
<TITLE>

State of Idaho)
County of Power) S.S.

On this 21 day of November, in the year of 2013, before me, a Notary Public, personally appeared Kryst + Melissa Krein, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Amanda Givens

Notary Public

In and for said State and County

Sept 3, 2015

My Commission Expires on



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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/14/2013

WATER RIGHT NO. 35-14213

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KRYST R KREIN
Current Owner	MELISSA KREIN
	3462 ROCK CREEK RD
	AMERICAN FALLS, ID 83211
	(208)226-2804
Original Owner	THE TRAVELERS INSURANCE CO
	REAL ESTATE DEPT
	707 SW WASHINGTON ST
	PORTLAND, OR 97205
Security Interest	THE BANK OF COMMERCE
	C/O WESTERN AG CREDIT
	10980 W SOUTH JORDAN GATEWAY
	PO BOX 95850
	SOUTH JORDAN, UT 84095-0850

Priority Date: 12/15/1977

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.75 CFS	175.7 AFA
Total Diversion			0.75 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 13	Township 08S	Range 29E	POWER County
GROUND WATER	NWSESE	Sec. 21	Township 08S	Range 29E	POWER County
GROUND WATER	SWSSENW	Sec. 22	Township 08S	Range 29E	POWER County
GROUND WATER	SWSSENW	Sec. 22	Township 08S	Range 29E	POWER County
GROUND WATER	NWNWSW	Sec. 22	Township 08S	Range 29E	POWER County
GROUND WATER	NWNENW	Sec. 23	Township 08S	Range 29E	POWER County
GROUND WATER	SWSWNE	Sec. 24	Township 08S	Range 29E	POWER County
GROUND WATER	NWSENW	Sec. 24	Township 08S	Range 29E	POWER County
GROUND WATER	NENWSW	Sec. 26	Township 08S	Range 29E	POWER County
GROUND WATER	NWNENW	Sec. 19	Township 08S	Range 30E	POWER County

IRRIGATION Use:

Acre Limit: 50.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	29E	13		NWNW	40		SWNW	40						
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		14		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		15		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		21		SENE	40									
				NESE	40		NWSE	40		SWSE	38		SESE	40
		22		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40

		NESE	40	NWSE	40	SWSE	40	SESE	40
	23	NENE	40	NWNE	40	SWNE	40	SENE	40
		NENW	40	NWNW	36	SWNW	40	SENW	40
		NESW	40	NWSW	40	SWSW	40	SESW	40
		NESE	40	NWSE	40	SWSE	40	SESE	40
	24	NENE	40	NWNE	40	SWNE	40	SENE	40
		NENW	40	NWNW	40	SWNW	40	SENW	40
		NESW	40	NWSW	40	SWSW	40	SESW	40
		NESE	40	NWSE	40	SWSE	40	SESE	40
	25	NENE	40	NWNE	40	SWNE	40	SENE	40
		NENW	40	NWNW	40	SWNW	40	SENW	40
		NESW	40	NWSW	40	SWSW	40	SESW	40
		NESE	40	NWSE	40	SWSE	40	SESE	40
	26	NENE	40	NWNE	40	SWNE	40	SENE	40
		NENW	40	NWNW	40	SWNW	40	SENW	40
		NESW	40	NWSW	40	SWSW	40	SESW	40
		NESE	40	NWSE	40	SWSE	40	SESE	40
	27	NENE	40	NWNE	40	SWNE	40	SENE	40
		NENW	40	NWNW	40	SWNW	40	SENW	40
		NESE	40						
30E	18	NESW	40	NWSW	40	SWSW	40	SESW	40
	19	NENW	40	NWNW	40	SWNW	40	SENW	40
		NESW	40	NWSW	40	SWSW	40	SESW	40
	30	NENW	40	NWNW	40	SWNW	40	SENW	40
		NESW	40	NWSW	40				

Total Acres: 6154

Conditions of Approval:

1. X27 This right is limited to the irrigation of 50.2 acres within the authorized place of use in a single irrigation season.
2. 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.
3. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. X35 Rights 35-7275, 35-7399, 35-13397, 35-13382, 35-13384, 35-13385, 35-13386, 35-13388, 35-13390, 35-13915, 35-13916, 35-13387, 35-13899, 35-13900, 35-7402, 35-13409, 35-13381, 35-13412, 35-13389, 35-7401, 35-13410, 35-13411, 35-13413, 35-13415, 35-13414, 35-2274, 35-7390, 35-7630, 35-2432C, 35-7391C, 35-7863, 35-13905, 35-13906, 35-2172, 35-13703,

- 35-13897, 35-13898 and 35-14213 when combined shall not exceed a total diversion rate of 52.34 cfs, a total annual maximum diversion volume of 13,708.7 af at the field headgate, and the irrigation of 3,434.0 acres.
5. R05 Use of water under this right will 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. 120.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. 206 Rights 35-7275, 35-7399, 35-13397, 35-13382, 35-13384, 35-13385, 35-13386, 35-13388, 35-13390, 35-13915, 35-13916, 35-13387, 35-13899, 35-13900, 35-7402, 35-13409, 35-13381, 35-13412, 35-13389, 35-7401, 35-13410, 35-13411, 35-13413, 35-13415, 35-13414, 35-2274, 35-7390, 35-7630, 35-2432C, 35-7391C, 35-7863, 35-13905, 35-13906, 35-2172, 35-13703, 35-13897, 35-13898 and 35-14213 are limited to the irrigation of a specific 3,434.0 acres within the 6,154.0 acre place of use authorized by this right in a single irrigation season. The specific 3,434.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 3,434.0 acres to be irrigated within the 6,154.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
9. 214 Prior to the diversion and use of water under Transfer approval 77467, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
10. 113 Beginning on the date of approval of Transfer 77467, the irrigation uses under rights 35-14213 is limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the right each time an increase according to the schedule is sought. Year 2012 through 2013 the right is limited to 0.73 cfs, 171.5 afa and 49.0 acres. Year 2014 and beyond the right is limited to 0.75 cfs, 175.7 afa and 50.2 acres.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Diversion of water from the point(s) of diversion authorized by approved Transfer 77467 shall not exceed the total combined maximum diversion rates and total combined maximum diversion volumes as specified below: Wells 1 – 4 are limited to 14.69 cfs and 3420.6 af. Well no. 1: NWSESE Sec. 21, T08S, R29E, B.M. Well no. 2: NWNWSW Sec. 22, T08S, R29E, B.M. Well no. 3: SWSSENW Sec. 22, T08S, R29E, B.M. Well no. 4: SWSSENW Sec. 22, T08S, R29E, B.M. Wells 5 – 9 are limited to 31.77 cfs and 8435.2 af. Well no. 5: NWNENW Sec. 23,

T08S, R29E, B.M. Well no. 6: SESESW Sec. 13, T08S, R29E, B.M. Well no. 7: NWNENW Sec. 19, T08S, R30E, B.M. Well no. 8: SWSWNE Sec. 24, T08S, R29E, B.M. Well no. 9: NWSNW Sec 24, T08S, R29E, B.M. Well 10 is limited to 5.88 cfs and 1852.9 af. Well no. 10: NENWSW Sec. 26, T08S, R29E, B.M.

Dates:

Licensed Date:

Decreed Date: 03/22/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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