

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76601APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) KBCP LLC Phone (208)226-2773Mailing address 3062 S Frontage Rd, American Falls ID 83211 Email idahofry59@yahoo.com

- ☐ 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 Ernest Carlsen Phone (208)523-4514Mailing address 4838 Wind River Rd Idaho Falls ID 83401 Email emcarlsen@gmail.com☐ Send all correspondence for this application to the representative and not to the applicant.

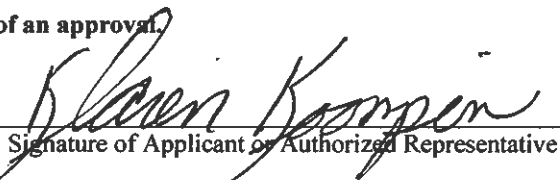
OR

☒ 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

Klaren Koopman, Manager
Print Name and Title if applicable

June 9, 2010
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**. Need to change the location for one of the PODs from the SWNE Sec27 to the NWSW Sec26 T08S R29E. The new POD location is more centrally located for the pivots it will serve and the electrical power has already been extended to the new location.

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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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 ☒ ☐	35-2172	2.16/580.0	Irrigation	4/1 to 10/31	Ground water
☒ ☐	35-13897	2.04/487.4	Irrigation	4/1 to 11/01	Ground water
☒ ☐	35-13703	0.93/376.0	Irrigation	4/1 to 10/31	Ground water
☐ ☐	35-13898	0.36/233.8	Irrigation	4/1 to 11/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.13 cfs and/or 1677.2 ac-ft

2. Total amount of water proposed to be transferred or changed 5.13 cubic feet per second and/or 1677.2 acre-feet per annum.

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 #
New		NE	NW	SW	26	08S	29E	Power	Ground water	
		NW	NE	SE	27	08S	29E	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	
08S	29E	25									8.0	29.9	35.9	7.2					81
		26			32.8	2.3	5.0			19.1	7.7	31.4	32.8	39	6.9	13.3	40	33.4	263.7
		27		3.4	16.8		4.0			18.7					31.7				74.6

Total Acres (for irrigation use) 419.3

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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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: The two wells will be connected with a common mainline servicing the four pivots. Electrical panel at pump will serve as a lockable controlling works and measuring devices will be installed in the mainline as required.

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

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: Application is not proposing any change to the place of use.

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: Application is not proposing any change to the place of use or purpose of use.

- e. 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: N/A

- 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: _____

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

Current Water Right No.: 35-13897

Current Owner: KBCP LLC

Priority Date: 5/4/1978

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary**Beneficial Use**

IRRIGATION

From To

04/01 to 11/01

Total Diversion

Diversion Rate

2.04 CFS

2.04 CFS

Annual Volume

487.4 AF

487.4 AF

Location of Point(s) of Diversion

GROUND WATER

POWER County

SW1/4NE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

GROUND WATER

POWER County

NE1/4SE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

Place of UseIRRIGATION Within POWER County

T08S R29E S25	NESW	8.00	T08S R29E S25	NWSW	29.90
T08S R29E S25	SWSW	35.90	T08S R29E S25	SESW	7.20
T08S R29E S26	SWNE	32.80	T08S R29E S26	SENE	2.30
T08S R29E S26	NENW	5.00	T08S R29E S26	SENW	19.10
T08S R29E S26	NESW	7.70	T08S R29E S26	NWSW	31.40
T08S R29E S26	SWSW	32.80	T08S R29E S26	SESW	39.00
T08S R29E S26	NESE	6.90	T08S R29E S26	NWSE	13.30
T08S R29E S26	SWSE	40.00	T08S R29E S26	SESE	33.40
T08S R29E S27	NWNE	3.40	T08S R29E S27	SWNE	16.80
T08S R29E S27	NENW	4.00	T08S R29E S27	SENW	18.70
T08S R29E S27	NESE	31.70			

Total Acres: 419.3

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

Current Water Right No.: 35-13703

Current Owner: KBCP LLC
 Priority Date: 10/16/1974
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

GROUND WATER

Tributary**Beneficial Use**

IRRIGATION

From To
 04/01 to 10/31
 Total Diversion

Diversion Rate

0.93 CFS
 0.93 CFS

Annual Volume

376 AF
 376 AF

Location of Point(s) of Diversion

GROUND WATER

POWER County

SW1/4NE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

GROUND WATER

POWER County

NE1/4SE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

Place of Use**IRRIGATION Within POWER County**

T08S R29E S25	NESW	8.00	T08S R29E S25	NWSW	29.90
T08S R29E S25	SWSW	35.90	T08S R29E S25	SESW	7.20
T08S R29E S26	SWNE	32.80	T08S R29E S26	SENE	2.30
T08S R29E S26	NENW	5.00	T08S R29E S26	SENW	19.10
T08S R29E S26	NESW	7.70	T08S R29E S26	NWSW	31.40
T08S R29E S26	SWSW	32.80	T08S R29E S26	SESW	39.00
T08S R29E S26	NESE	6.90	T08S R29E S26	NWSE	13.30
T08S R29E S26	SWSE	40.00	T08S R29E S26	SESE	33.40
T08S R29E S27	NWNE	3.40	T08S R29E S27	SWNE	16.80
T08S R29E S27	NENW	4.00	T08S R29E S27	SENW	18.70
T08S R29E S27	NESE	31.70			

Total Acres: 419.3

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

Current Water Right No.: 35-13898

Current Owner: KBCP LLC

Priority Date: 5/23/1962

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary**Beneficial Use**

IRRIGATION

From To

04/01 to 11/01

Total Diversion

Diversion Rate

0.36 CFS

0.36 CFS

Annual Volume

233.8 AF

233.8 AF

Location of Point(s) of Diversion

GROUND WATER

POWER County

SW1/4NE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

GROUND WATER

POWER County

NE1/4SE1/4

Sec. 27, Twp 08S, Rge 29E B.M.

Place of UseIRRIGATION Within POWER County

T08S R29E S25	NESW	8.00	T08S R29E S25	NWSW	29.90
T08S R29E S25	SWSW	35.90	T08S R29E S25	SESW	7.20
T08S R29E S26	SWNE	32.80	T08S R29E S26	SENE	2.30
T08S R29E S26	NENW	5.00	T08S R29E S26	SENW	19.10
T08S R29E S26	NESW	7.70	T08S R29E S26	NWSW	31.40
T08S R29E S26	SWSW	32.80	T08S R29E S26	SESW	39.00
T08S R29E S26	NESE	6.90	T08S R29E S26	NWSE	13.30
T08S R29E S26	SWSE	40.00	T08S R29E S26	SESE	33.40
T08S R29E S27	NWNE	3.40	T08S R29E S27	SWNE	16.80
T08S R29E S27	NENW	4.00	T08S R29E S27	SENW	18.70
T08S R29E S27	NESE	31.70			

Total Acres: 419.3

76 60 1

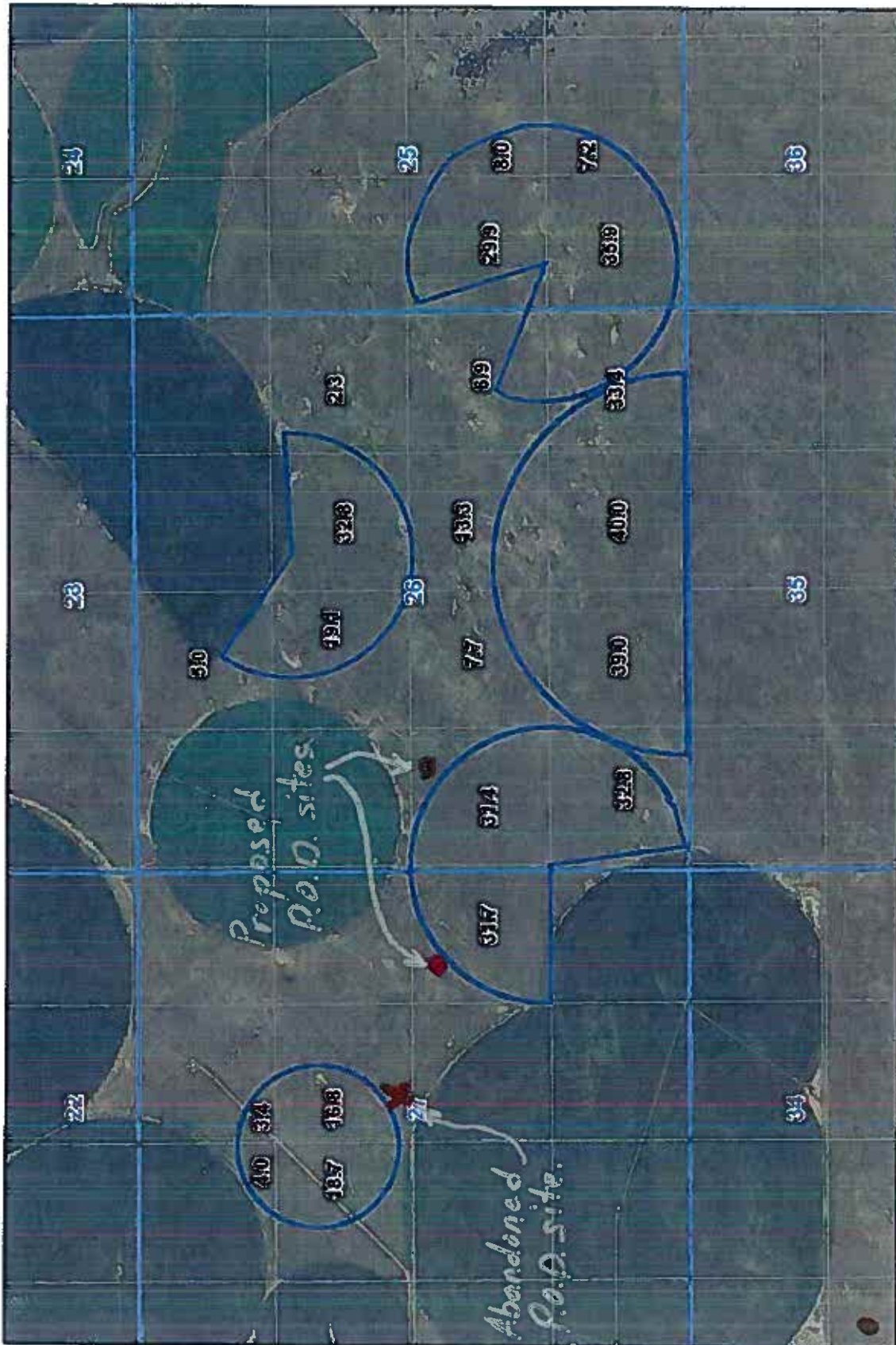
76 60 1

Attachment #5
ESPA Analysis

76 60 1^x

All the water rights listed on this application were authorized the same two points of diversion ("POD") by transfer #75910. In the ESPA model these two PODs are located in grid cells SP094088 and SP094089. This transfer application proposes to move the POD in grid cell SP094088 to 42° 41.815' and 113° 02.343' putting it in grid cell SP095089, which is an adjoining cell to grid cell SP094089. Since the new POD will be in an adjoining grid cell to one of the PODs authorized by transfer #75910, there is no recognizable hydrologic impact and further ESPA analysis is not required.

F:\Projects\Koompin\Arcview 9\Koompin new pivot configuration for transfer 09



Legend

- Proposed Points of Diversion
- New Pivot configuration=419.3 ac
- sections
- 108c29e

KOOMPIN- TRANSFER NEW PIVOT CONFIGURATION NAIP 2004 AERIAL PHOTO

1 inch equals 1,320.0 feet

BROCKWAY ENGINEERING, PLLC.
ALR - DEC. 14, 2008
(ZL-12723/09)

RECEIVED

JUN 10 2010

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

Transfer No.

76601

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/>.

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. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf
- ☒ * 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/wrt_default.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: _____

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