

Aberdeen American Falls
WD# 120

528-454
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

APR 02 2010

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

DEV

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
<i>35-13915</i>					
<i>35-13916</i>					

2. The following **REQUIRED** information must be submitted with this form:

SUPPORT DATA

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *IN FILE # 35-13915*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Glen Ward
Ward Land & Livestock

4. New Owner/Claimant(s)

KBC Farms LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3002 S Frontage Rd
American Falls ID 83411

City, State and ZIP Code

New Telephone Number

() _____ Email: _____

5. Date you acquired the property _____
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

*SBP LLC by
Shawn Grange*

gen pater
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *JB*
 Received by *JB*
 Processed by _____ AJ

Date *4-2-10*
 Date *4-2-10*
 Date _____

Receipt Amt. *\$50. -*
 Receipt No. *E035700*
 WR _____ Date _____

Fee: 27.00

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schelste

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IDAHO WATER COMPANY

1135 Valley Road South
Eden, Idaho 83325
(208) 825-5617
Cells 410-0438 or 431-5617

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OCT 28 2009

Department of Water Resources
Eastern Region

OPTION AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 7/11/03 o.w.

by and between Glenn A Wor.
(hereinafter "Seller") and Del Kohtz hereinafter "Buyer").

The buyer, Del Kohtz discloses that he is a licensed real estate agent acting herein as principal for his own account and not representing or acting as an agent for the buyer.

TERMS AND CONDITIONS

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Sellers Idaho Water Right 106 acres of 43-7126 + 43-4037 and the water appurtenant thereto, for \$ 700⁰⁰ per acre. \$2500⁰⁰ down
2. The total purchase price shall be \$ 74200⁰⁰. The entire purchase price shall be paid on the closing dates described in paragraph 4 below.
3. This Agreement for Purchase and Sale of said license is contingent upon and subject to the IDWR finding that the Water Right is valid and transferable. If the Water Right is invalid or non-transferable, this Agreement shall become null and void.
4. The Buyer desires to buy the personal property, the Water Rights, in separate tracts in order as agreed upon by both parties. Each transfer will be closed separately as they are paid for. This contract will be the standard contract and price for each transfer. The Buyers shall be given possession and use of the portion of the water right and the water appurtenant thereto, upon the closing of each transfer.

The remaining Water Rights shall remain the property of the seller until they are paid for and so forth until the entire Water Right is sold.

5. In the event of any suit or proceeding by either party against the other party, in any way arising out of this agreement the prevailing party shall be awarded their reasonable attorney fees and costs.

6. Option: Seller understands Buyer is transferring the water appurtenant to Sellers property to another property. Buyer shall have 365 days from the date of signing this contract to complete and close the transfers. If IDWR has not completed the transfers by the end of the option period the contract may be extended by the Buyer to complete the transfers by paying interest of 4.5 % on the unpaid balance.

7. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

OTHER PROVISIONS

This contract is being signed by Glenn Ward instead of Dan Ward for the purpose of the transfer in process. Ownership will now be in Glenn Ward's name until transfer is approved.

IN WITNESS WHEREOF have caused their names to be subscribed on the dates set forth above.

Glenn Ward
D.W.
Seller

[Signature]
Buyer

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

October 19 2009

RE; TRANSFER NO. 74093

WATER RIGHTS NOS. 35-7399 35-13382 35-13384 35-13385

35-13386 35-13388 35-13390 35-13397

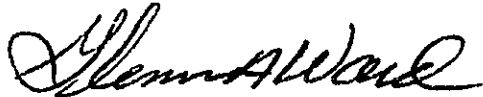
43-13366 43-13369 35-7275

Ernest Carlson
Water Resources Program Manager

These water rights belonging to Ward Land and Livestock and Glenn Ward of Burley (Cassia County) Idaho, are NOT for sale or transfer. Not now or in the immediate future. This action has been pursued without my knowledge or my permission.

Your attention in this matter would be greatly appreciated, in who initiated, this matter. As I stated in the beginning of this formal written notice that these water rights, are NOT for sale or transfer.

Glenn Ward



Glenn Ward

Ward's Land and Livestock
227 E 400 S
Burley Idaho 83318
(208)678-1699
(208)312)3078

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OCT 20 2009

Department of Water Resources
Eastern Region

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OCT 28 2009

Department of Water Resources
Eastern Region

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

October 26, 2009

RE; TRANSFER NO. 74093

WATER RIGHTS NOS. 35-7399 35-13382 35-13384 35-13385

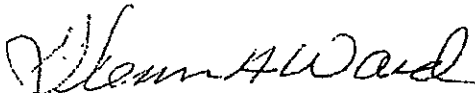
35-13386 35-13388 35-13390 35-13397

43-13366 43-13369 35-7275

Ernest Carlson
Water Resources Program Manager

After extensive research and compiling more accurate information on these water rights, I am
satisfied with the results and there for rescind the stop order on their transfers.

Glenn Ward



Glenn Ward

Ward's Land and Livestock
227 E 400 S
Burley Idaho 83318
(208)678-1699
(208)312)3078