



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 26, 2009

Dave Carlson  
Idaho Department of Water Resources  
900 N. Skyline Dr. Suite A  
Idaho Falls, ID 83402-1718

Re: Application for Transfer – KBCP LLC

Dear Mr. Carlson,

It is desired by KBCP LLC to transfer water right 35-2172 for 145 acres from irrigation to irrigation. The point of diversion and place of use will be changing with this transfer. The current POD is located at T 07S R 30E Sec. 25 NESE and the proposed POD will be a new well located at T 08S R 29E Sec. 27 NENE and two existing wells located at T 08S R 29E Sec. 24 SWNE and SENW.

The water right is located within the Eastern Snake River Plane aquifer area and analysis of the transfer has been performed using the ESPA Model. The analysis is based on farthest move possible of the 580 AFA which is from Row 94 Column 99 to the proposed new well location in Row 94 Column 89. A previously transfer (No. 75147) with similar characteristics was processed and advertized by IDWR. In a correspondence concerning transfer No. 75147 David Tuthill indicated that utilization of the combined Near Blackfoot to Minidoka reach for determining Snake River reach depletion should be considered. It is desirous for this transfer analysis to combine the Near Blackfoot to Neeley reach and the Neeley to Minidoka reach. It was determined that no mitigation is required for this transfer. See attached documents for ESPA Model analysis. The volume values used for the model reflect the consumptive use for each trimester of 251 ac-ft in spring and 329 ac-ft in summer.

Water right 35-2172 will be combined with 35-13897, 35-13703 and 35-13898 for a total of 419.3 acres of irrigation. The previously approved transfer for 35-13897, 35-13703 and 35-13898 had an incorrect POD location in Section 26. The new POD and two existing PODs as outlined in this transfer are the desired PODs for 35-2172, 35-13897, 35-13703 and 35-13898.

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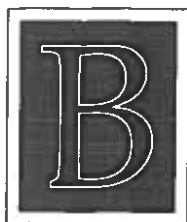
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Department of Water Resources  
Eastern Region



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Please copy our office on all correspondence regarding this water right transfer. If you have questions or comments, please don't hesitate to call.

Sincerely,

Greg Sullivan E.I.T.

Cc: Klaren Koompin

Enc: Application for Transfer, Transfer Narrative, ESPA Model Analysis, Certificate of Organization LLC, Supporting Aerial Maps, Gary Spackman letter Dated August 10, 2009

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