

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74605

This is to certify that: KBC FARMS LLC
 3062 S FRONTAGE RD
 AMERICAN FALLS ID 83211
 (208)226-2773

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
41-7032	WR/License	12/31/1977	8.36 cfs	1672 af	418.0	1,858.0	GROUND WATER
41-7018	WR/Decreed	07/30/1975	18.26 cfs	5760 af	1,440.0	1,858.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
41-7032	NO	NO	YES	NO	NO	NO
41-7018	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
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41-7032	41-7032	8.36 cfs	1672 af	418.0	1,858.0		N/A	N/A	N/A	N/A
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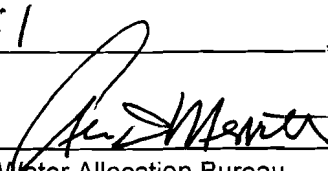
41-7018	41-7018	18.26 cfs	5760 af	1,440.0	1,858.0		N/A	N/A	N/A	N/A
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COMBINED

TOTALS		18.26 cfs	6165.1 af	1858.0	1858.0		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 24th day of April, 20 08

FOR -  Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 41-7018

WATER RIGHT NO. 41-7018
As Modified by Transfer No. 74605

In accordance with the approval of Transfer No. 74605, Water Right No. 41-7018 is now described as follows.

Right Holder: KBC FARMS LLC
 3062 S FRONTAGE RD
 AMERICAN FALLS ID 83211

Priority Date: July 30, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	18.26 CFS	5,760.0 AF
			18.26 CFS	5,760.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSE	Sec. 24 Twp 10S Rge 30E POWER County
GROUND WATER	NWNWNE	Sec. 25 Twp 10S Rge 30E POWER County
GROUND WATER	NENENW	Sec. 25 Twp 10S Rge 30E POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 30E 13	5.6	29.0	32.0	36.0	29.0			31.0	37.0	37.0	11.0	19.0	20.0	25.0	15.0	39.0	365.6
10S 30E 14													4.3				4.3
10S 30E 24	29.0	30.0	31.0	31.0	5.1	1.4	33.0	32.0	29.0	27.0	19.0	31.0	31.0	32.0	31.0	31.0	423.5
10S 30E 25				8.6	28.0	21.0	17.0	30.0					28.0			2.2	134.8
10S 31E 18			3.5		10.0	8.5	21.0	34.0	12.0	7.7	20.0	33.0	8.0	35.0	34.0	7.6	234.3
10S 31E 19	2.7	22.0	38.0	11.0	38.0	12.0	13.0	39.0	24.0	5.7	17.0	40.0	.4	7.5	30.0	24.0	324.3
10S 31E 20						L 1	L 2			L 3	L 4						51.7
10S 31E 29						1.2	.9			4.8							6.9
10S 31E 30	33.0	16.0	24.0	18.0	22.0	1.5	15.0	40.0	28.0	15.0	2.7	24.0	36.0	11.0	17.0	9.4	312.6
						L 1	L 2			L 3	L 4						

Total Acres: 1858

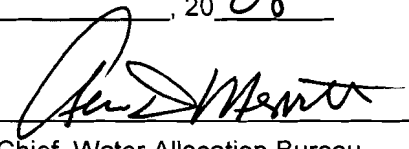
WATER RIGHT NO. 41-7018
As Modified by Transfer No. 74605

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. 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 lands above.
3. This right is limited to the irrigation of 1440 acres within the place of use described above in a single irrigation season.
4. Rights 41-7018 and 41-7032 when combined shall not exceed a total diversion rate of 18.26 cfs, a total annual maximum diversion volume of 6165.1 af at the field headgate, and the irrigation of 1858 acres.
5. The following rights are diverted through point(s) of diversion described above: 41-7018 and 41-7032
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of April, 20 08

FOR — 
Chief, Water Allocation Bureau

WATER RIGHT NO. 41-7032
As Modified by Transfer No. 74605

In accordance with the approval of Transfer No. 74605, Water Right No. 41-7032 is now described as follows.

Right Holder: KBC FARMS LLC
 3062 S FRONTAGE RD
 AMERICAN FALLS ID 83211

Priority Date: December 31, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	8.36 CFS	1,672.0 AF
			8.36 CFS	1,672.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSE	Sec. 24 Twp 10S	Rge 30E	POWER County
GROUND WATER	NWNWNE	Sec. 25 Twp 10S	Rge 30E	POWER County
GROUND WATER	NENENW	Sec. 25 Twp 10S	Rge 30E	POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 30E 13	5.6	29.0	32.0	36.0	29.0			31.0	37.0	37.0	11.0	19.0	20.0	25.0	15.0	39.0	365.6
10S 30E 14													4.3				4.3
10S 30E 24	29.0	30.0	31.0	31.0	5.1	1.4	33.0	32.0	29.0	27.0	19.0	31.0	31.0	32.0	31.0	31.0	423.5
10S 30E 25				8.6	28.0	21.0	17.0	30.0					28.0			2.2	134.8
10S 31E 18			3.5		10.0	8.5	21.0	34.0	12.0	7.7	20.0	33.0	8.0	35.0	34.0	7.6	234.3
10S 31E 19	2.7	22.0	38.0	11.0	38.0	L 1	L 2	39.0	24.0	5.7	17.0	40.0	.4	7.5	30.0	24.0	324.3
10S 31E 20						L 1	L 2			9.6	39.0	3.1					51.7
10S 31E 29						1.2	.9			4.8							6.9
10S 31E 30	33.0	16.0	24.0	18.0	22.0	L 1	L 2	40.0	28.0	15.0	2.7	24.0	36.0	11.0	17.0	9.4	312.6

Total Acres: 1858

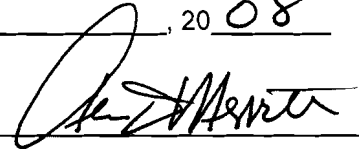
WATER RIGHT NO. 41-7032
As Modified by Transfer No. 74605

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. 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 lands above.
3. This right is limited to the irrigation of 418 acres within the place of use described above in a single irrigation season.
4. Rights 41-7032 and 41-7018 when combined shall not exceed a total diversion rate of 18.26 cfs, a total annual maximum diversion volume of 6165.1 af at the field headgate, and the irrigation of 1858 acres.
5. The following rights are diverted through point(s) of diversion described above: 41-7032 and 41-7018
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of April, 20 08


FOR Chief, Water Allocation Bureau