

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

**RECEIVED**  
**JUL 20 2020**  
DEPARTMENT OF  
WATER RESOURCES

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-7834	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-13596	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-13625	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Gregory W Knittel, Jennecca S. Knittel, Debra J. Behrend, Paul W. Behrend, Kristin R. Behrend  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MPH Farms LLC  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or

2935 W 2050 S      Aberdeen      ID      83210  
Mailing address      City      State      ZIP

208-221-4352      daryl@mpdpvi.com  
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: July 1, 2020

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. 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. X 3
  - \$100 per split water right.
  - No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

**SUPPORT DATA**

**IN FILE #** 35-7834

8. Signature: MPH Farms LLC Manager 7/15/2020  
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 Ku      Date 7-20-2020      Receipt No. C109034      Receipt Amt. \$ 75.00

Active in the Water Supply Bank? Yes ☐ No ☐      If yes, forward to the State Office for processing      W-9 received? Yes ☐ No ☒

Name on W-9 \_\_\_\_\_      Approved by \_\_\_\_\_      Processed by [Signature]      Date 7-20-2020

**Instrument # 216107**

POWER COUNTY, IDAHO

07-01-2020 04:31:20 PM No. of Pages: 4

Recorded for: FIRST AMERICAN TITLE - POCATEL

SHARIE SPRAGUE

Fee: \$15.00

Ex-Officio Recorder Deputy: Flor Cardona

Electronically Recorded by Simplifile

After Recording  
Return to:

Cooper & Larsen, Chtd.  
P.O. Box 4229  
Pocatello, ID 83205  
Attn: Ron Kerl

FA-9091074

**FOR RECORDING INFORMATION**

### **SPECIAL WARRANTY DEED**

FOR VALUE RECEIVED, **BEHREND, BEHREND AND KNITTEL PROPERTIES, LLC**, an Idaho limited liability company, as "Grantor," does hereby grant, bargain, sell, and convey unto **MPH FARMS, LLC**, an Idaho limited liability company, as "Grantee," whose current address is 2935 West 2050 South, Aberdeen, Idaho 83210, the premises located in Power County, Idaho, more specifically described on Exhibit A attached hereto and incorporated herein by reference (the "Premises").

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to said Premises, as well in law as in equity, of Grantor.

TO HAVE AND TO HOLD the Premises and the tenements, hereditaments, and appurtenances thereunto unto Grantee and to Grantee's successors and assigns forever. Grantor covenants that it will warrant and defend the title to the Premises unto Grantee, its successors and assigns, forever, against the lawful claims of all persons claiming by, through, or under Grantor, but none other, and subject to the Permitted Exceptions (as hereinafter defined). Title to the Premises is subject to the matters set forth in Exhibit B attached hereto (the "Permitted Exceptions").

[Signature Page Follows]

After Recording  
Return to:

Cooper & Larsen, Chtd.  
P.O. Box 4229  
Pocatello, ID 83205  
Attn: Ron Kerl

Recorded Electronically	
ID	211167
County	POWER
Date	7-1-2020
Time	14:31
Simplifile.com 800.460.5657	

SA-9091074

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[Signature Page Follows]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name and delivered as of the date indicated on the first page of this Special Warranty Deed.

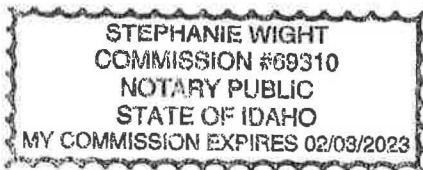
**GRANTOR:**

**BEHREND, BEHREND AND KNITTEL  
PROPERTIES, LLC,**  
An Idaho limited liability company

By: [Signature]  
Name: Nicholas P Behrend  
Title: Owner Manager

STATE OF IDAHO )  
 )SS.  
COUNTY OF Bannock )

This record was acknowledged before me on the 1 day of July, 2020,  
by Nicholas P Behrend, as manager of **BEHREND, BEHREND AND  
KNITTEL PROPERTIES, LLC.**



[Signature]  
Notary Public – State of Idaho  
My Commission Expires: 2-3-2023  
[Signature]  
(Printed, typed)

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PREMISES**

**Parcel 1**

All of the SE1/4 and the easterly 33 feet of the SW1/4 of Section 12 Township 5 South Range 29 East B.M. Power County, Idaho more particularly described as:

Commencing at the Southeast corner of Said Section 12; Thence along the south line of said Section S 89°43' 39" W 2644.32 feet to the S1/4 Corner of said Section; Thence continuing along said south line S 89° 43' 39" W 33.00 feet; Thence on a line 33 feet westerly and parallel with the north-south center section line N 00° 07' 19" E 2643.51 feet to a point on the east-west center section line; Thence along said east-west line N 89° 45' 02" E 33.00 feet to the C1/4 of said Section; Thence continuing along said east-west line S 89° 45' 02" E 2643.47 feet to the E1/4 corner of said Section; Thence along the east line of said Section S 00° 06' 13" W 2642.43 feet to Point of Commencement.

**Parcel 2**

All of the E1/2 and the easterly 33 feet of the W1/2 of Section 13 Township 5 South Range 29 East B.M. Power County, Idaho more particularly described as:

Commencing at the Southeast corner of Said Section 13; Thence along the south line of said Section S 89°49' 12" W 2640.53 feet to the S1/4 Corner of said Section; Thence continuing along said south line S 89° 49' 12" W 33.00 feet; Thence on a line 33 feet westerly and parallel with the north-south center section line N 00° 03' 46" E 5280.54 feet to a on the north line of said section; Thence along said north line N 89° 44' 06" E 33.00 feet to the N1/4 corner of said Section; Thence continuing along said north line N 89° 43' 39" E 2644.32 feet to the NE Corner of said Section; Thence along the east line of said Section S 00° 06' 13" W 5284.87 feet to the Point of Commencement.

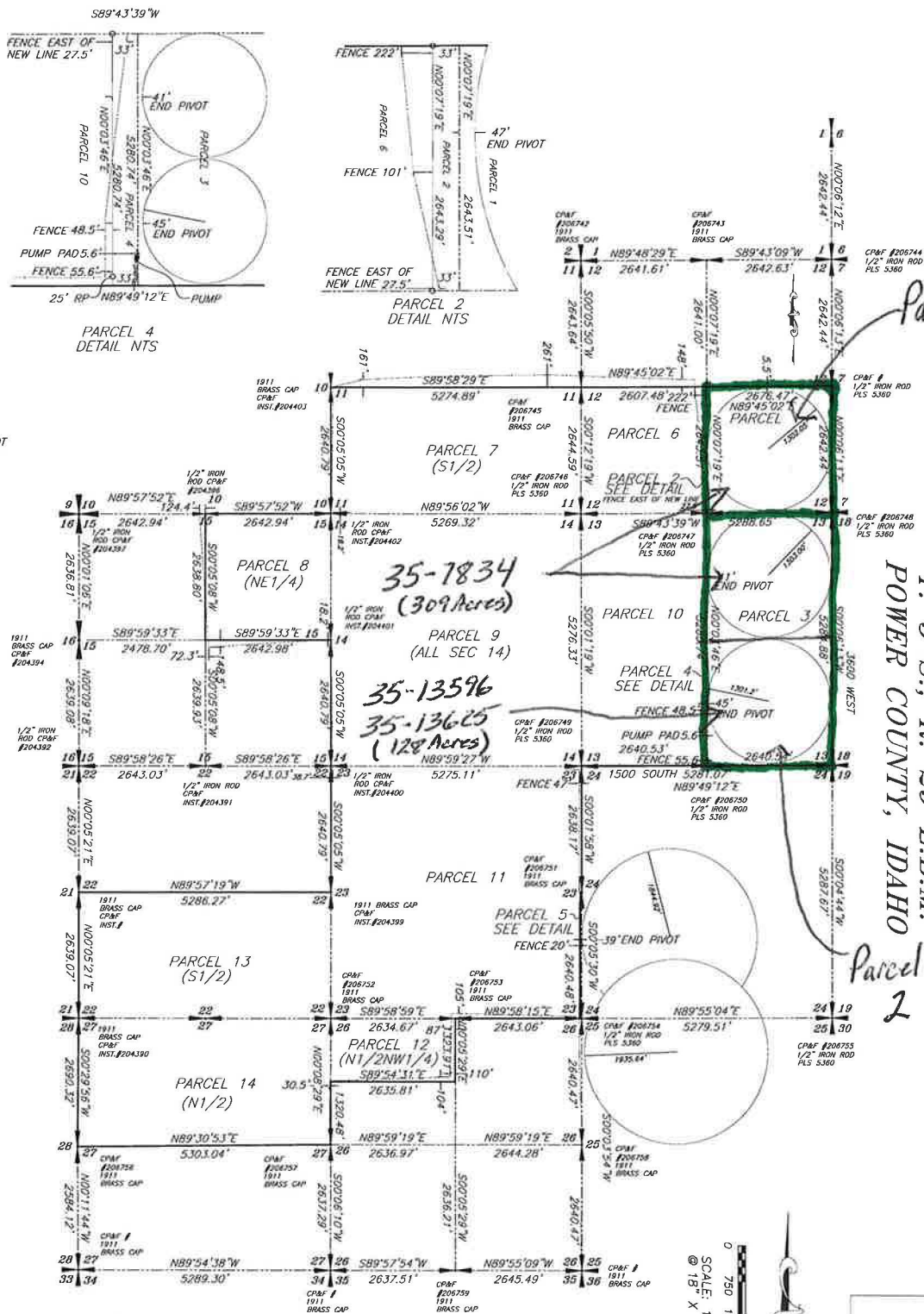
Including specifically the following water rights:

35-7834  
35-13596  
35-13625



PART SECTIONS 11,12,13,14,15,22,23,26,27,  
T. 5 S., R. 29 E.B.M.  
POWER COUNTY, IDAHO

RECORDER'S CERTIFICATE



**LEGEND**

- Section Corner Control
- Placed 1/2" x 24" iron rod with cap marked PLS. 5360
- Fence line
- Found 1/2" iron Rod
- Overhead Power
- Existing Powerline



**RECORD OF SURVEY**

**BBK FARMS**

**T. 5 S., R. 29 E.B.M.**

**HANNIGAN ENGINEERING, INC.**

PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
800 W. Juley Ave. Ste. 100  
T. 5 S., R. 29 E., S. 3600  
P.O. Box 100  
T. 5 S., R. 29 E.

**SURVEYORS CERTIFICATE**

I, Bryce D. Juley, a Registered Professional Land Surveyor in the State of Idaho do hereby certify the survey completed under my supervision.

Bryce D. Juley License No. 2260 Date





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 20, 2020

MPH FARMS LLC  
2935 W 2050 S  
ABERDEEN ID 83210-4922

Re: Change in Ownership for Water Right No(s): 35-7834, 35-13596 & 35-13625

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 120