

Transfer No. 75282

Receipt No. E034715

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information KRISTIN R BEHREND

2976 W 2000 S
ABERDEEN ID 83210
(208)397-4047

And

NICHOLAS P BEHREND
2976 W 2000 S
ABERDEEN ID 83210
(208) 221-0342

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-7954E	WR/License	4.98	1,887.7		471.9	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
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Describe the reason for the proposed changes

Owner has installed several pivot irrigation systems resulting in a POU change.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-7954E	4.98 cfs		471.9	1,887.7 af
TOTAL	4.98 cfs	471.9	471.9	1,887.7 af

RECEIVED**JAN 13 2009**

Department of Water Resources
Eastern Region

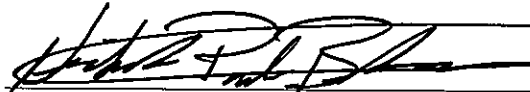
75282

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



(Signature of Applicant)

Owner

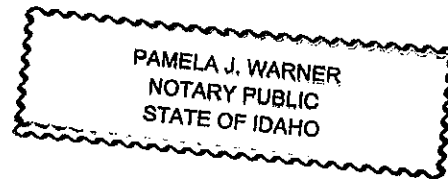
(Title or Office)

Subscribed and sworn to before me this 15th day of December, 2008.



(Notary Public)

My commission expires Dec 13, 2013



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Frederick Behm
(Signature of Applicant)

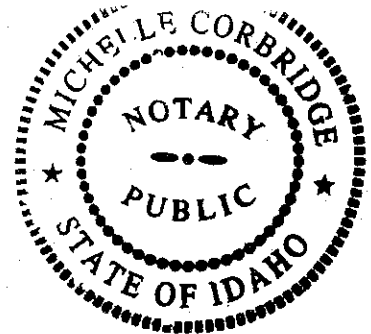
Owner

(Title or Office)

Subscribed and sworn to before me this 17th day of December, 20 08.

Michelle Corbridge
(Notary Public)

My commission expires 08/28/2009



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

Current Water Right No. 35-7954E

Priority Date: February 24, 1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	4.98 CFS	1,887.7 AFA	
	Total Diversion	4.98 CFS	1,887.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENW Sec. 24 Twp 05S Rge 29E 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	
05S	29E	24			11.8				11.8	11.8	40.0	40.0	40.0	40.0			40.0	40.0	275.4
05S	29E	25		40.0	25.5		40.0	40.0	25.5	25.5									196.5

Total Acres: 471.9

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Tax Lot Information

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

It will be dry.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 35-7954E

Priority Date: February 24, 1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.98 CFS	1,887.7 AFA	
Total Diversion		4.98 CFS	1,887.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENW Sec. 24 Twp 05S Rge 29E POWER County

Describe the proposed diversion system

Point of Diversion # 1 500HP WELL PUMP, 150HP BOOSTER TO MAINLINE: ONE LINEAR SYSTEM.

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	
05S	29E	24			12.0			14.2	28.1	35.8	38.4	32.8	37.1			36.6	32.7		267.7
05S	29E	25			38.8	24.0			39.8	38.1	23.8	39.7							204.2

Total Acres: 471.9

January 8, 2009

Copy for file

State of Idaho
Department of Water Resources
900 N Skyline Dr
Idaho Falls, ID 83402

To Whom It May Concern:

This letter is in regards to Behrend, Behrend & Knittel Farms application to redistribute water shares. Their application to redistribute following water rights within the same township, range and section has been approved:

<u>Note Holder</u>	<u>Note #</u>	<u>Water Right #</u>	<u>Amount to be Redistributed</u>
Nicholas Behrend	44052-441	35-7954E	471.9 Acres

If you have any questions regarding this approval or any other aspect of Nicholas Behrend's loan, please contact Russ Taylor or myself at our American Falls Office.

Sincerely,



Steve Smith
Credit Officer

RECEIVED

JAN 13 2009

Department of Water Resources
Eastern Region

75282

WARRANTY DEED

Order No.: 3010120182

3020002511-J

FOR VALUE RECEIVED

507495

178755

Daniel C. Behrend and Kay M. Behrend, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Nicholas P. Behrend and Kristin R. Behrend, husband and wife

whose current address is

2976 WEST 2000 SOUTH, ABERDEEN, ID 83210

the grantee(s), the following described premises, in Power County, Idaho, TO WIT:

Township 5 South, Range 29 E.B.M., Power County, Idaho;

Section 24: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$

Section 25: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$.

Township 5 South, Range 30 East, Boise Meridian, Bingham County, Idaho

Section 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 30: E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 12/27/2001

Daniel C. Behrend
Daniel C. Behrend

Kay M. Behrend
Kay M. Behrend

State of Idaho

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}ss.

County of Bannock

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On this 28th day of December, 2001, before me, a Notary Public in and for said state, personally appeared Daniel C. Behrend and Kay M. Behrend

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

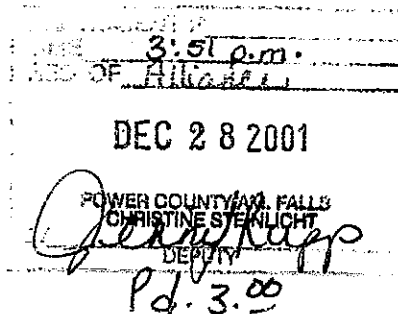
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Lisa M. Jones

Notary Public for the State of Idaho

Residing at: Pocatello

Commission Expires: 06-01-07



RECORDED AT THE REQUEST OF
ALANIS T. & LORAN C. COPELAND
2001 DEC 31 AM 9:15
FEE 3.00
JANUARY 2002 RECORDED
CLACKFOOT, IDAHO

