

RECEIVED

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED  
 APR 25 2006

Department of Water Resources  
 Eastern Region

MAY 10 2006

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

**DEPARTMENT OF**  
**WATER RESOURCES**

1. 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 division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|

74913 → 35-7954F - sent to Eastern for processing with transfer  
35-7954E - updated 8/14/08 (to be filed per  
 Nic Behrend)  
35-7954F Split yes DC

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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 usually attached to your deed or on file with the county).  
**OR**  
 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 **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)

Daniel Behrend

4. New Owner/Claimant(s)

1780 S 2800 W Aberdeen ID 83210

Nicholas P Behrend Kristin R Behrend

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2976 W 2000 S Aberdeen ID 83210

City, State and ZIP Code

Aberdeen ID 83210

New Telephone Number

208 397-4489

5. Date you acquired the property

12/28/01

RECEIVED

OCT 03 2008

SUPPORT DATA

IN FILE # 35-7954E

Department of Water Resources  
 Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

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

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*Walter F. Behrend*  
*Walter F. Behrend*

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.

**For Office Use Only**

|                        |                     |                             |
|------------------------|---------------------|-----------------------------|
| Received by _____      | Date _____          | Fee \$50- + \$100-          |
| Receipted by <i>JC</i> | Date <i>4-25-06</i> | Receipt No. <i>E 031822</i> |
| Processed by _____     | AJ Date _____       | WR _____ Date _____         |

*0082115*

# WARRANTY DEED

Order No.: 3010120182

302000 2511-5

FOR VALUE RECEIVED

507495

178755

3:51 p.m.  
Allison

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

DEC 28 2001

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

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

POWER COUNTY, IDAHO  
CHRISTINE STEENLICH  
DEPUTY  
Pd. 3.00

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

}  
}ss.

County of Bannock

}

On this 28<sup>th</sup> 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 K. Jones

Notary Public for the State of Idaho

Residing at: Pocatello

RECORDED AT THE REQUEST OF  
2001 DEC 31 AM 9:15

RECORDS SECTION  
JAN 1 2002

Point 32  
Divers

35-7954E

144.4

2-278.0

100

County Line Rd

278.9

142.5

T-2628 0. \*

- 1-144.4 +
- 2- 278. +
- 3- 270.9 +
- 4- 150. +
- 5- 142.2 +

985.5 \*

T-2628

85.4

25 30.8

392

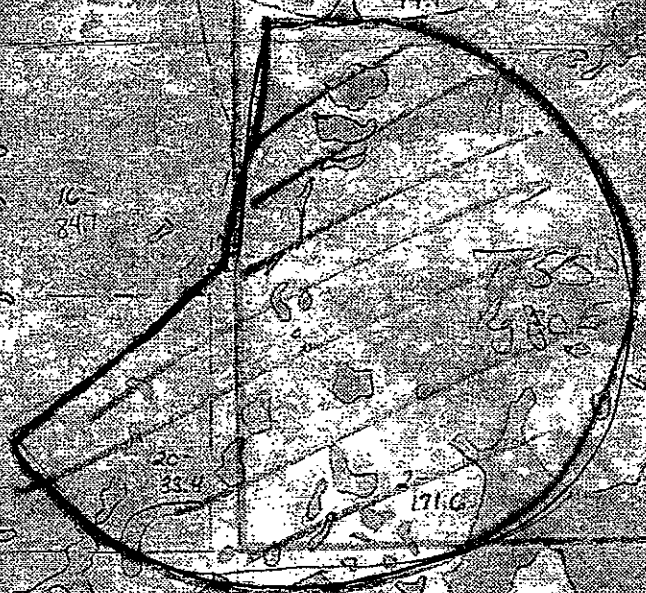
150.0

25 30.1

Vanderford Rd

1752  
Laird  
Farm

County Line Rd



Field  
1 - 12.1  
8 33.1  
45.2

Pave  
County

#23.91/1  
Cont

Bingham Co  
Pave County

Field  
~~4-4~~  
~~5-2~~  
~~9-19~~  
~~12-15~~  
22 214.  
214.9  
~~218.2~~  
Bingham

H-6

# QUITCLAIM DEED

**THIS QUITCLAIM DEED**, executed this 31 day of Aug, 2006

By first party, grantor, Paul Behrend whose post office address is 2706 W 1800 S.  
Aberdeen, ID 83210 to second party, Grantee, Nicholas Behrend, whose post office  
address is 2976 W 2000 S Aberdeen, Id 83210

**WITNESSETH**, That the said first party, for good consideration and for the sum  
of one hundred dollars (\$100) paid by the second party, the receipt whereof is hereby  
acknowledged, does hereby remise, release and quitclaim unto the said second party  
forever, all the right, title, interest and claim which the said first party has in and to the  
following described parcel of land, and improvements and appurtenances thereto in the  
County of Bingham, State of Idaho to wit:

T5S R30E Sec 30 E1/2SW1/4NW1/4

15 Acres

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the  
day and year first above written. Signed, sealed and delivered in presence of:

Signature of Witness

*Debra J. Behrend*

Signature of First Party

*Paul u Behrend*

Print name of Witness

*Debra J Behrend*

Print name of First Party

*PAUL u Behrend*

State of *Idaho*

County of *Bingham*

On *August 31<sup>st</sup>, 06* before me,

Appeared *Paul & Debra Behrend*

Personally known to me( or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name is subscribed to the within instrument and acknowledged to me  
that hw executed the same in his authorized capacity, and that by his signature on the  
instrument the person, or the entity upon behalf of which the person is acted, executed the  
instrument.

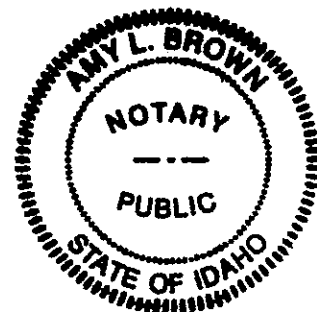
WITNESS my hand and official seal

Signature of Notary

*Amy L. Brown*

*Residing @ Aberdeen, ID*

*Commission Expires: 12/09/2011*



# CORPORATION DEED

For Value Received PAUL BEHREND FARMS, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto PAUL BEHREND and DEBBIE JEAN BEHREND aka, DEBRA JEAN BEHREND, husband and wife

whose current address is 2706 W. 1800 So. Aberdeen, Idaho 83210

the following described real estate, to-wit: an undivided one half (1/2) interest in the real property located in Bingham County, Idaho further described as follows:

1. The North half of the South West Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section Twenty Nine (29) and the North half of the NorthEast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) together with the SouthEast Quarter of the SouthEast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Thirty (30), Township 5 South, Range 29 East Boise Meridian.

2. together with an undivided one third (1/3) interest in the real property located in Bingham County, Idaho further described as follows:

Section Nineteen (19) and the North half (N $\frac{1}{2}$ ) of Section Thirty (30), Township 5 South, Range 29 East Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee & their heirs and assigns forever.

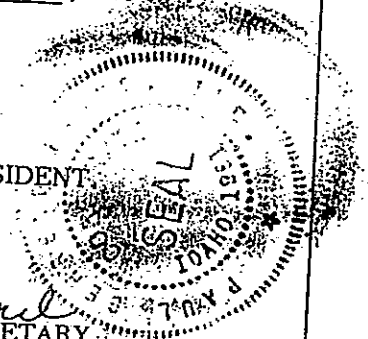
IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 22 day of January, 1987.

By Paul Behrend

PRESIDENT

ATTEST:

Debbie Behrend  
SECRETARY



STATE OF IDAHO, COUNTY OF POWER  
THIS 22nd day of January, 1987.  
I, a notary public in and for said State, personally appeared  
Paul Behrend and  
Debbie Jean Behrend, known to me to be  
President and Secretary of the corporation that executed this in-  
strument on the persons who executed the instrument.

357766

BINGHAM COUNTY RECORDER  
CLERK, IDAHO

whose current address is 2706 W. 1800 So. Aberdeen, Idaho 83210

the following described real estate, to-wit: an undivided one half (1/2) interest in the real property located in Bingham County, Idaho further described as follows:

1. The North half of the South West Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section Twenty Nine (29) and the North half of the NorthEast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) together with the SouthEast Quarter of the SouthEast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Thirty (30), Township 5 South, Range 29 East Boise Meridian.

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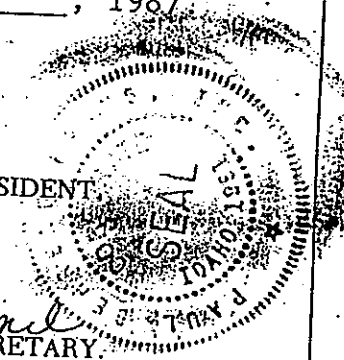
IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 22 day of January, 1987.

By Paul n Behrend

PRESIDENT

ATTEST:

Debbie Behrend  
SECRETARY



STATE OF IDAHO, COUNTY OF POWER  
THIS 22nd day of January, 1987,  
me, a notary public in and for said State, personally appeared  
Paul Behrend and  
Debbie Jean Behrend, known to me to be  
President and Secretary of the corporation that executed this in-  
strument, and acknowledged to me that such corporation executed  
the instrument on behalf of said corporation, and acknowledged to me that such corporation executed

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
my seal, the day and year in this certificate first above written.

James E. Starborg  
Notary Public  
State of Idaho  
American Falls, Idaho  
Expires Life

357766

BINGHAM COUNTY RECORDER  
CLERK J. E. STARBORG  
FILED 200 SEP 80

1987 JAN 27 AM 9:58  
James E. Starborg  
RECORDED AT THE REQUEST OF  
219 Idaho St.  
Am Falls 83211

## Joint Use Agreement

Agreement between Paul Behrend (Grantor), whose address is 2706 W 1800 S Aberdeen, ID 83210, and Nicholas Behrend (Grantee), whose address is 2976 W 2000 S Aberdeen, ID 83210.

Grantor owns property adjacent to Grantee's property, which is described below and hereinafter referred to as the grantor's property;

E1/4 sec 25; SE1/4 SE1/4 Sec 24 T5S R29E Power County  
W1/4 sec 30; SW1/4SW1/4 sec 19 T5S R30E Bingham County

Grantor desires to grant to Grantee an easement across Grantor's property for access and joint use of the pump, panel, and mainline located on said property to provide water for irrigation to Grantee's adjacent land. Grantor also agrees to allow portions of the above listed property to be irrigated with Grantee's water right and irrigation system. Grantee, in turn, will jointly use the irrigation system located on their adjacent property to irrigate a portion of Grantor's above listed property.

The parties agree as follows:

1. Grantor does hereby grant unto Grantee a perpetual right and easement across the Grantor's property for the purposes set forth above.
2. Grantee agrees to split the cost of all repairs, maintenance and operation of above property equally.
3. The easement shall run with the lands described herein and shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties, including Lender under its mortgage herein described and its assigns. As used herein, mortgage means deed of trust.

Paul Behrend

Date

*Paul Behrend*

*1-1-97*

Nicholas Behrend

Date

*Nicholas Behrend*

*1-1-97*

# Idaho Department of Water Resources Receipt

Receipt ID C082115

Payment Amount \$100.00 Date Received 9/8/2006 12:39:55 PM Region State Status  
Payment Type Check Check Number 176

Payer NIC BEHREND FARMS

Comment WATER TRANSFER

## Fee Detail

| Amount   | Description                          | Fund | FD | PCA   | SO   |
|----------|--------------------------------------|------|----|-------|------|
| \$100.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 0229 | 21 | 56140 | 1155 |



Signature Line (Dept. Representative)