

NE. 1/4 of NW. 1/4 of Sec. 35, T.2 S., R. 35 E. B. M.  
BINGHAM COUNTY, IDAHO

**DEED OF DEDICATION**

State of Idaho } ss.  
County of Blaine

BE IT KNOWN THAT: J. LeRoy Howell, Norma E. Howell, Henry J. Henscheid, Mary E. Henscheid, Raymond Parks, Paula Peters, Lyle G. Knudsen, Gladys L. Knudsen, do hereby certify that we are the legal owners of the land shown herein and described as follows:

[illegible]

|   | CURVE DATA |       |
|---|------------|-------|
| ① | 89° 50'    | 20.00 |
| ② | 90° 30'    | 20.00 |
|   | 20.00      | 20.00 |
|   | 19.83      | 20.16 |
|   | 20.16      | 28.4  |
|   | 31.24      | 31.59 |

## COUNTRY'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the Board of County Commissioners of Bingham County, Idaho by resolution adopted this 2 day of May 1966.

APPROVED By:

Geo. L. Brown  
Chairman  
John E. Hayes  
County Engineer

# ENGINEER'S CERTIFICATE

I, John J. Harper, a registered professional Engineer at Mercury Certification, Inc., hereby certify that the above is a true and correct copy of the original document. The said document is a Building Contract, dated the said Supervision is being provided by law and the said Contract is stated as provided by law and in accordance with the above plan and as described in the accompanying deed of dedication and that this is an exact copy of the original plan.

John J. Harper  
1001 J. Harper Pk.  
Idaho License No 1321

State of Idaho } 39.  
County of Bingham }

Subscribed and sworn to before me this 24 day  
of APRIL 1968.  
My Commission expires 23 SEPTEMBER 1968

Netery Public, Bredtfoot, 1846

# RECORDER'S CERTIFICATE

I hereby certify that the foregoing plat of the Highland Acres Subdivision, Birmingham County, Idaho was filed for record in the office of the Recorder of Birmingham County, Idaho, on the 1<sup>st</sup> day of July, 1964 at 2:10 p.m. and is recorded in plat book No. 376, at page 3 and that this recding is an exact copy of the signed plat.

My Commission Expires

Notary Public

State of Iowa  
County of Boone

On this day in May 1966 before me, the undersigned, a Notary Public in and for said State, personally appeared J. LeRoy Howell, Moore & Howard, Henry J. Hestwood, Henry J. Hestwood, Paul J. Pines, Lyle G. Keeling, Stanley L. Pines and James D. Pines, known to me to be the signers of the instrument and duly acknowledged to me that they executed the same freely and voluntarily.

1966

The above named the same to be subdivided into lots, blocks and streets to be known as the Wingard Acres Subdivision, being a "Country Club" and that we hereby give, grant and convey unto the Wingard Family all the streets and easements appurtenant to the same.

RICAN LAND TITLE CO.

FORMERLY POCA TELLO TITLE CO.

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

~~MICROFILMED~~  
JAN 09 2003

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

RECEIVED

NOV - 2 20

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

RECEIVED

OCT 23 2002

Department of Water Resources

1. Please 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 |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 27-10874                     |       | RD 123456             |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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)

Mark Behrend

4. New Owner/Claimant(s)

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

New Mailing Address

974 James St.

City, State and ZIP Code

Blackfoot Idaho, 83221

New Telephone Number

(209) 785-4008

5. Date you acquired the property

\_\_\_\_\_

RECEIVED  
 OCT 23 2002

RECEIVED  
 OCT 26 2001  
 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 _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| 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 _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

*Mark 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 QC Date 10-26-01 Fee \$25-  
 Receipted by QC Date 10-26-01 Receipt No. EO 27219  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

MICROFILMED

JAN 09 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 27-10874

NAME AND ADDRESS: FAYE BEHREND PRICE  
ROUTE #1 BOX 128  
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 09/01/1973

POINT OF DIVERSION: T02S R35E S35 NENW Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE  | QUANTITY |
|-------------------------------|------------------|----------------|----------|
|                               | Domestic 1 HOUSE | 01-01 TO 12-31 | 0.04 CFS |

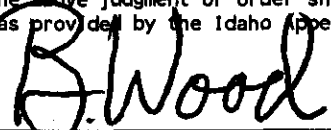
PLACE OF USE: Domestic Within Bingham County  
T02S R35E S35 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication



## YOUR RIGHT TO APPEAL YOUR PROPERTY VALUE

To appeal your property value, you **must file a written form** with the county board of equalization (BOE). The form requires you to identify yourself, your property, and the reason for your appeal. You can get the form from your county assessor, clerk, or commissioners.

**The form must be filed on or before the end of the county's business day on the 4<sup>th</sup> Monday of June.** (For the subsequent property roll, the filing deadline is the 4<sup>th</sup> Monday of November. For the missed property

roll, the filing deadline is the following year's January meeting date for the BOE.) See Idaho Code section 63-501A.

**If you do not file by the above deadline, you will lose your right to appeal your property value for the current year.**

Contact your county assessor to learn more about property tax exemptions or other tax benefit programs.

## BOARD OF EQUALIZATION (BOE) RESPONSIBILITIES AND DATES

The responsibilities of the BOE are to decide eligibility for property tax exemptions, hear appeals, and to equalize the value of property.

The board of county commissioners must meet as the BOE on the 4<sup>th</sup> Monday of each month from January through May and each day from the 4<sup>th</sup> Monday of June

through the second Monday of July. For the subsequent property assessment roll, the BOE meets each day from the fourth Monday of November through the first Monday of December. For the missed property assessment roll, the BOE meets in January of the next year. See Idaho Code sections 63-501 and 63-502.

## CURRENT YEAR ESTIMATED TAX

The current year estimated tax shown on the front of this notice is calculated using this year's property value multiplied by last year's levy rate. It does not include new voter-approved budget overrides or bonds, or changes in property use, parcel splits, or other variables that might affect the value or tax.

**The actual tax, for which you will be billed in November, will be different than the estimated tax shown on this notice.** Actual taxes will be based on the current year's taxable value multiplied by the current year's levy rate, which will not be determined until September after the taxing districts' budgets are completed and final.

**THE TAXES ARE ONLY ESTIMATES AND DO NOT INCLUDE RESULTS FROM OVERRIDE ELECTIONS AND SPECIAL FEES. DO NOT pay the estimated taxes.**

Taxing districts are required to notify the county clerk of the date and location of their budget hearing by April 30<sup>th</sup> of each year. This information is intended to inform taxpayers when their taxing districts will hold budget meetings. Taxes are based on budgets, which are determined by each taxing district.

Remember to participate in setting district budgets, such as school, city, and county, by attending the budget hearings noted on the front of this notice. These budgets determine how much tax you pay.

NE. 1/4 of NW. 1/4 of Sec. 35, T. 2 S., R. 35 E. S. 8. N.  
BINGHAM COUNTY, IDAHO

State of Idaho  
County of Blaine

WE IT KNOW THAT: J. LeRoy Howell, Norma E. Howell, Henry J. Henschel, Mary E. Henschel, Raymond Peters, Paula Peters, Eric S. Knudsen, Gladys L. Knudsen, do hereby certify that we are the legal owners of the land shown herein and described as follows:

Beginning at a point where S. 50° 08' W. 25.00 feet and S. 59° 35' W. 25.00 feet from the North to Section 55  
7. S. 59° 35' W. 25.00 feet to Section 55, thence S. 49° 35' W. parallel  
with the North line of said Section 55, 182.2 feet; thence S. 53° E  
4.76 feet; thence N. 45° 53' E. 190.76 feet; thence along a  
furnace curve the right of 10 feet radius 3.6 feet to a corner  
point on the west side of the Road; thence N. 08° 38' E. along said  
Road the 54.83 feet to the corner at beginning.

That we have carried the same to be subdivided into lots, blocks and streets to be known as the Highland Acres Subdivision, Birmingham County, and that we hereby give, grant and concede to the said city public use of all streets and easements shown on the map.

State of Ohio  
County of Franklin

In this day is May, 1966, before me, the undersigned, a notary public in and for said State, personally appeared a lady named, Norma E. Marsh, Mary J. Heston, Betty E. Heston, Raymond Parks, Paula Sigler, Lyle G. Rowley, Stanley L. Rowley and I know to be the signers of the instrument and duly acknowledge to me that they executed the same freely and voluntarily.

Secretary Commission

Waterbury Publishing

# RECORDER'S CERTIFICATE

I hereby certify that the foregoing Plat of the Highland Acres Subdivision, Birmingham County, Idaho was filed for record in the office of the Recorder of Birmingham County, Idaho, on the 1st day of July, 1944 at 2:50 PM, and is recorded in Plat Book No. 2176, at page 3, and that this record is an exact copy of the original plat.

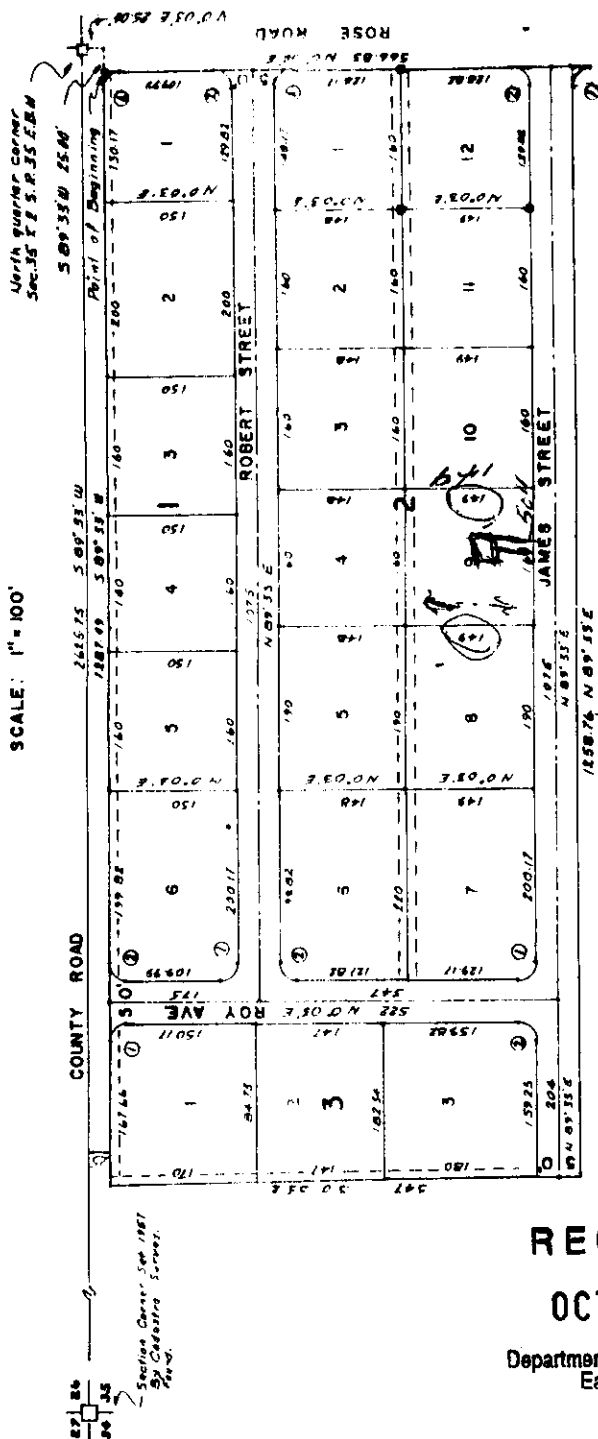
Michigan County Recorder

## CITY'S ACCEPTANCE

The foregoing plot was duly accepted and approved by the City Council of the City of Electric, Idaho, by record made and entered this 28th day of June 1962.

*Robert J. Simpson*  
10/15/1974

Mellie Mamas  
City Clerk



# ENGINEER'S CERTIFICATE

I, John J. Harner, a registered professional Engineer at present residing at 1406 Surveyors' Hall, in the city of Glasgow, Highland Park Subdivision, Benton County, Idaho, that the said Subdivision is truly and correctly shown as provided by law and in accordance with the above plat and as described in the accompanying deed of dedication, and that this is a true and correct copy of the original plat.

John J. Harper  
 John J. Harper  
 John J. Harper

1251 ON STREET WASH DC

Scale of 10000

Subscribed and sworn to before me this 24 day  
of APRIL 1966.

11

Confidential

Secretary Public. Branches: 1/10/10

[illegible]

## COUNTRY'S ACCEPTANCE

The foregoing plot was duly accepted and approved by the Board of County Commissioners of Blingham County, Idaho by resolution adopted this 2 day of May 1966.

Approved By:

Geo L. Brown

Chairman,

County Engineer

RECEIVED  
OCT 26 2001

**Department of Water Resources  
Eastern Region**

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

AMERICAN LAND TITLE CO.

FORMERLY POCA TELLO TITLE CO

~~MICROFILMED~~

JAN 9 1961



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 24, 2002

MARK BEHREND  
974 JAMES ST  
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 27-10874

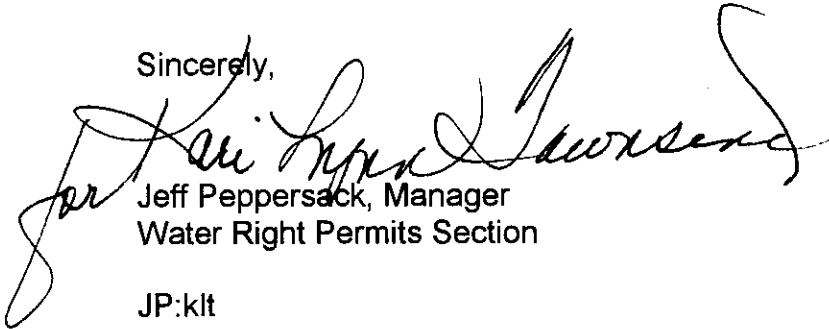
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

NOT FILMED

OCT 29 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 16, 2002

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OCT 23 2002

DEPARTMENT OF WATER RESOURCES

MARK BEHREND  
974 JAMES ST  
BLACKFOOT ID 83221

RE: Water Right No. 27-10874 - Change in Ownership

Dear Mr. Behrend

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership for the above-referenced water right. I am enclosing a copy of that notice for your information.

During my review of this notice I found no evidence of the change of title from the owner, which according to our records is Faye Behrend Price, to you. The Department will hold this matter pending receipt of the necessary information for 30-days, if there is no response on your behalf, we will return your notice and all attachments with no change of our records. Please forward your reply to my attention.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact me if you have any questions.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Enclosure

Hi - hope this works -

If not, please call and  
leave me a message 785-4008

I hope you are having a good day.

Kathy

MICROFILMED

JAN 03 2003



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

August 20, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

MARK BEHREND  
974 JAMES ST  
BLACKFOOT ID 83221

RE: Change in Ownership of Decreed Water Right 27-10874

Dear Mr. Behrend:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ☒ **Signature** (Please sign on line 7 – back of ownership change form)
- ☒ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

The Deed of Trust that you furnished is not evidence of ownership and therefore we cannot accept it as support documentation. I have enclosed the Deed of Trust for you to retain for your records. Please furnish our office with a Warranty Deed, Title Policy or Contract of Sale showing your ownership of this property. Also enclosed is your original Notice of Change in Water Right Ownership form. Please sign and return this form with the proof of ownership.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend  
Secretary

KLT:k

Enclosure(s)

MICROFILMED

AUG 22 2002



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 16, 2002

MARK BEHREND  
974 JAMES ST  
BLACKFOOT ID 83221

RE: Water Right No. 27-10874 - Change in Ownership

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The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership for the above-referenced water right. I am enclosing a copy of that notice for your information.

During my review of this notice I found no evidence of the change of title from the owner, which according to our records is Faye Behrend Price, to you. The Department will hold this matter pending receipt of the necessary information for 30-days, if there is no response on your behalf, we will return your notice and all attachments with no change of our records. Please forward your reply to my attention.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact me if you have any questions.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Enclosure

MICROFILMED

JAN 30 2003