

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

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>22-2180</u> <u>G-28873</u>		<u>No split</u>			

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)

Carol Ostermiller
box 142 Newdale, Idaho 83436

4. New Owner/Claimant(s)

Val and Diane Schwendiman
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

9633 E. Hwy 33

City, State and ZIP Code

Newdale, Idaho 83436

New Telephone Number

208-458-4261

5. Date you acquired the property

2 May 2000

RECEIVED
DEC 14 2005

Department of Water Resources
 Eastern Region

Copy

WARRANTY DEED

THIS INDENTURE, Made this 1st day of September, 2003, between **CAROL OSTERMILLER**, a single person, of 8881 E. Hwy 33, PO Box 142, Newdale, ID 83436, hereinafter called "the party of the first part" and **VAL SCHWENDIMAN and DIANE SCHWENDIMAN**, husband and wife, of 9633 E. Hwy 33, Newdale, ID 83436, hereinafter called "the parties of the second part,"

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration, to her in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in Madison County, State of Idaho, to-wit:

Parts of Secs. 2 and 11, twp. 6 N., Rge. 41 E., Boise Mer., described as follows:

Commencing at a point 780 feet South of the Northwest corner of Sec. 2, and running thence South 5820 feet; thence East 2112 feet; thence North 6600 feet; thence West 1832 feet; thence South 780 feet; thence West 280 feet, to the point of beginning.

Together with all water licenses and permits for pumping subsurface water for irrigation purposes, and together with one 200-horsepower motor, one 75-horsepower booster motor, pumps, column, bowls, panels, and irrigation sprinkler mainline and approximately 375 four inch lateral pipes, presently on the property.

Subject to easements, if any, of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Subject to restrictive covenants, if any, of record.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said premises, as well in law as in equity, of the said party of the first part.

And the said party of the first part, and her heirs, hereby warrant and agree to forever defend the parties of the second part, their heirs and assigns, in the quiet and peaceable possession of said premises against all and every person lawfully claiming an interest therein.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

"The Party of the First Part"

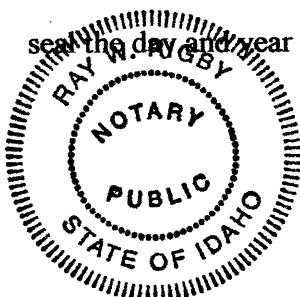

Carol Ostermiller

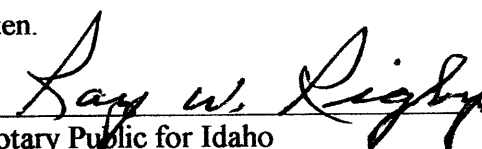
STATE OF IDAHO)
 ss.
County of Madison)

On this 1st day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared CAROL OSTERMILLER, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official

seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 3/12/2005

State of Idaho

License and Certificate of Water Right File

Water License No. G-28873 / 12-21-80

Amount 3.10 c.f.s.

Priority July 19, 1960

Post-it brand tax transmittal memo 7871		# of pages = <u>6</u>
To <u>Ray Riehy</u>	From <u>Clair Robinson</u>	
Co. <u>Idaho Resources</u>	Co. <u>Idaho Resources</u>	
Dept. <u>old</u>	Phone # <u>525-7161</u>	
Post # <u>29465 13</u>	Post # <u>02200</u>	

CLAIR ROBINSON

, made application for a permit to appropriate the
July 19, 1960; that Permit No. G-28873
site of Completion of works, with a carrying capacity of

3.10 second feet, was issued thereunder on August 2, 1961, showing that said works
were completed on the 20th day of December, 1960; and that on the 20th
day of December, 1960,

CLAIR ROBINSON

of Newdale, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-28873 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7129, on the 2nd day of August, 1961

The right hereby confirmed dates from July 19, 1960;

The Point of Diversion is located near center of W $\frac{1}{2}$

in the -- $\frac{1}{4}$ -- $\frac{1}{4}$ Sec. 2, Twp. 6 N, R. 41 E., B. M. Madison County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.10 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	41 E	2	NE $\frac{1}{4}$ NW $\frac{1}{4}$	24	20
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	24	17
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	24	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	24	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	24	20
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated: 287		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
2nd day of August, 1961.

(SEAL)

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

22 2184

Farm # 2225
Tract 226



Map of Tract 226

Ostermiller Farm
283.1 Acres
Shown

We run handlines over the
entire acreage of 313.3
acres



LOT 4
40.32

T-25

LOT 3
40.29

0612

T-3
250

LOT 2
40.26

SCHWENDIMAN FARMS INC VAL
154331

SCHW

0013

SCHWENDIMAN VAL FARMS INC
224034
224036

2411

2412

OSTERMILLER JUNIOR TEST. TRUST ETAL

185097
259205
259248
259891

185097
259205
259248
259891

Val Schwendiman
319103

2421

ROBINSON J WENDALL TRUST
ROBINSON CLAIR TRUSTEE

#772

B. 155 P. 450

B. 206 P. 107

2541

UP & L

B. 181 P. 112

280
274.6
24
135
150
T-1

Val Schwendiman

528.00

2

7801

SCHWENDIMAN VAL ETUX

186644
238813
238700
249252
250196

2410

OSTERMILLER JUNIOR

185097

30033

30033

Val Schwundman

319103

Val Schwundman

3601

WALTERS W JEFFREY ETAL

165005

228372

228371

4202

WALTERS W JEFFREY ETAL

165005

228372

228371

SCHWENI

11

5500

WALTERS W JEFFREY ETAL

165005

228372

228371

7801

WALTERS W JEFFREY ETAL

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228372

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2401