

Form 42-148/42-1409(s) 12/2006

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

RECEIVED

MAR 06 2007

DEPARTMENT OF
WATER RESOURCES

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
21-10463	21-10463				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Fremont Joint School Dist. #215

147 N 2nd W, St. Anthony, ID 83445

4. New Owner/Claimant(s)

Ashton Development, LLC

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

P.O. Box 250, Ashton, ID 83420

New Mailing Address

City, State and ZIP Code

New Telephone Number

(208) 652-3699

Fax 208) 652-3468

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5. Date you acquired the property

07/13/06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		21-10463
Irrigation		
Stock		
Domestic	Lawn and tree irrig. .18 cfs	8 acres
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)



Member

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
127 East Main
Rexburg, ID 83440

Microfilm No. **503799**
At **4:17** Day **July** 20, 20**06**
O'clock **1:10** PM
ABBIE NACE
FREMONT CO RECORDER
Fee \$ **10** Deputy
Recorded at Request of
First American Title Company

First American Title Company

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 172114-RX (ns)

Date: July 11, 2006

For Value Received, **Fremont Joint School District No. 215**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ashton Development LLC, a Nevada Limited Liability Company**, hereinafter called the Grantee, whose current address is **3980 Howard Hughes Parkway Ste 550, Las Vegas, NV 89109**, the following described premises, situated in **Fremont County, Idaho**, to-wit:

All of Blocks 30, 31, and 32 of the City of Ashton, Fremont County, Idaho, as shown on the official plat thereof.

Excepting Therefrom: That portion of property deeded to the State of Idaho in Warranty Deed recorded March 11, 1955, in Book 61 of Deeds, at Page 363.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

503799

Date: 07/11/2006

Warranty Deed
- continued

File No.: 172114-RX (ns)

Fremont Joint School District No. 215

Emory A. Parker

By: Garry M. Parker, Authorized Signor

STATE OF Idaho)
) ss
COUNTY OF Madison)

On this 13 day of July, 2006, before me, a Notary Public in and for said State, personally appeared Garry M. Parker, known or identified to me, to be the Superintendent of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

NICKI L. STEARS
STATE OF IDAHO
NOTARY PUBLIC

1 Nicki A. Stearns

Notary Public of Idaho
Residing at: Idaho Falls, Idaho
Commission Expires: 1-3-2012

