

For Value Received **Sidney Lee Schvaneveldt and Charlotte Olsen⁶⁵ Schvaneveldt**, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Clinton K. Aston and Estelita Aston, husband and wife

whose address is: **192 East Depot Street, Weston, ID 83286**

Hereinafter called the Grantee, the following described premises situated in Franklin County, Idaho, to-wit

See Attached

Recorded at the request of

First Am. Title

9:45 a.m. JUL 29 2004 p.m.

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO

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.

Dated: 7-28-04

Sidney Lee Schvaneveldt
Sidney Lee Schvaneveldt

Charlotte Olson Schvaneveldt
Charlotte Olson Schvaneveldt

STATE OF Idaho

ss.

COUNTY OF FRANKLIN

On this, before me Karen Rawlings, personally appeared Sidney Lee Schvaneveldt and Charlotte Olsen Schvaneveldt, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen Rawlings
Notary Public of Idaho
Residing at: Preston, Idaho
Commission Expires: 12/18/09

KAREN RAWLINGS
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT

tabbles

336
Protestant

A parcel of land located in the Northeast quarter of Section 8, Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows: Commencing at the North quarter corner of said Section 8, from which the Northeast corner of Section 8 bears South 89° 48' 08" East; Thence South 00° 07' 56" East 319.00 feet along the west boundary of the Northeast quarter of Section 8 to a 5/8" rebar and cap labeled "ALLEN LAND SURVEYING, PLS 9163" at a fence corner, the Point of Beginning. Thence South 89° 58' 21" East 326.07 feet to a 5/8" rebar and cap (PLS 9163) at the southwest corner of the parcel of land described in instrument number 212745, as recorded in the official records of Franklin County; Thence North 89° 58' 08" East 603.99 feet along the south boundary of said parcel to a 5/8" rebar and cap (PLS 9161) at the southeast corner thereof; Thence North 89° 13' 22" East 287.27 feet to a 5/8" rebar and cap at the southwesterly right of way line of the county road; Thence along said right of way line the following four (4) courses:

Thence South 66° 29' 53" East 31.92 feet to the beginning of a 340.00 foot radius curve concave to the Southwest;

Thence Southeasterly along said curve through a central angle of 41° 11' 59" a distance of 244.48 feet to the point of tangency (chord= South 45° 53' 54" East 239.25 feet);

Thence South 25° 17' 54" East 112.70 feet to a 5/8" rebar and cap;

Thence South 24° 09' 43" East 341.44 feet to a 5/8" rebar and cap (LS 4735);

Thence South 00° 47' 01" West 1396.71 feet to the centerline of Weston Creek; Thence North 62° 58' 26" West 1778.72 feet along the centerline of Weston Creek to the west boundary of the Northeast quarter of Section 8; Thence North 00° 07' 56" West 1176.92 feet along said west boundary to the Point of Beginning.

Together with a 33.00 foot wide ingress/egress easement described as follows: Beginning at the North quarter corner of said Section 8, from which the Northeast corner of Section 8 bears South 89° 48' 08" East; Thence South 00° 07' 56" East 319.00 feet along the west boundary of the Northeast quarter of Section 8 to a 5/8" rebar and cap labeled "ALLEN LAND SURVEYING, PLS 9163" at a fence corner; Thence South 89° 58' 21" East 33.00 feet; Thence North 00° 07' 56" West 318.91 feet to the north boundary of the Northeast quarter of Section 8; Thence North 89° 48' 08" West 33.00 feet along said north boundary to the Point of Beginning.

ALSO,

A parcel of land located in Sections 8 and 9, Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho and further described as follows:

Beginning at the West Quarter corner of said Section 9 which is a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735" set on an East-West fence line, said corner being North 00°04'52" East 2684.55 feet (North 2640.00 feet by record) from the Southwest corner of said Section 9; thence North 89°24'36" West 465.44 feet along said fence line to a 5/8" rebar with cap set at the top of bank on Weston Creek; thence along said Creek bank through the following courses:

North 50°29'25" West 189.67 feet to a 5/8" rebar with cap;

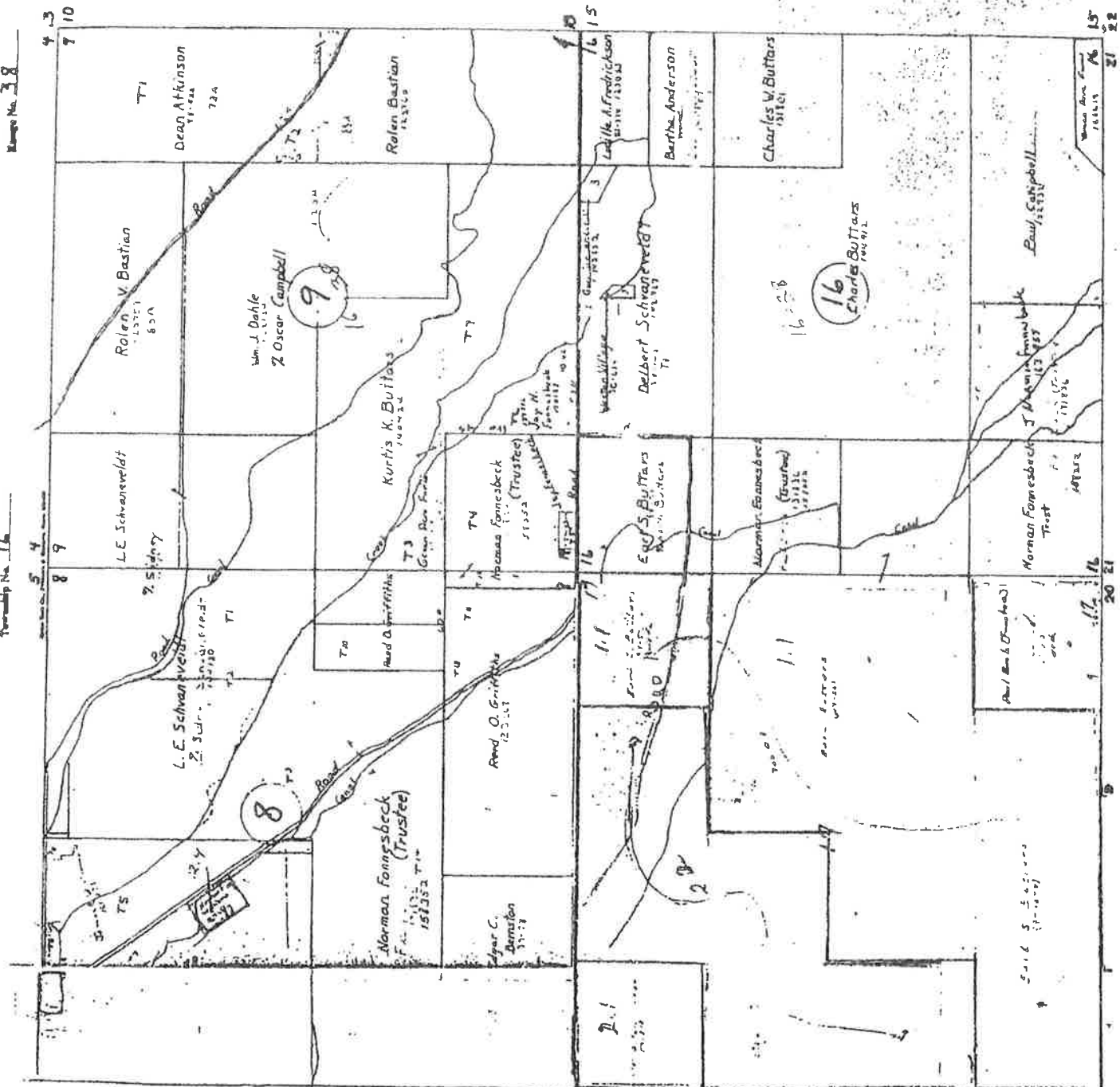
North 54°12'03" West 80.46 feet to a point to a 5/8" rebar with cap;

North 63°01'12" West 428.57 feet to a point to a 5/8" rebar with cap; thence North 00°50'00" East 1388.71 feet to a 5/8" rebar with cap set on the Southerly right of way line of a county road; thence South 24°32'43" East 229.00 feet to the beginning of a 294.07 foot radius curve concave to the Northeast; thence Southeasterly along said curve through a central angle of 57°32'28" a distance of 295.33 feet to the point of tangency (Chord = South 53°18'57" East 283.08 feet); thence South 82°05'11" East 196.20 feet to the beginning of a 711.58 foot radius curve concave to the Southwest; thence Southeasterly along said curve through a central angle of 04°37'59" a distance of 57.54 feet to the point of tangency (Chord = South 79°46'12" East 57.53 feet); thence South 77°27'12" East 208.09 feet to the beginning of a 930.64 foot radius curve concave to the Northeast; thence Southeasterly along said curve through a central angle of 13°55'36" a distance of 226.21 feet to the point of tangency (Chord = South 84°25'00" East 225.65 feet); thence North 88°37'12" East 1349.21 feet to a 5/8" rebar with cap set on a fence line; thence South 00°05'27" East 1319.74 feet along said fence line to a 5/8" rebar with cap set at a fence corner; thence North 89°24'36" West 1313.03 feet; thence North 89° 24' 36" West 465.44 feet along said fence line to the TRUE POINT OF BEGINNING.

70-14-15

Chicago No. 38

Membership No. 16



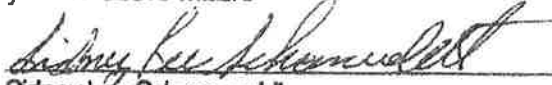
BILL OF SALE

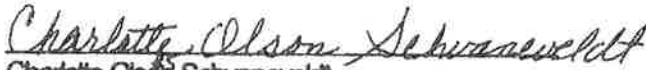
KNOW ALL MEN BY THESE PRESENTS, that on this 28th of July, 2004, Sidney Lee Schvaneveldt and Charlotte Olsen Schvaneveldt, of Weston, County of Franklin, State of ID the party of the first part, for and in valuable consideration, to it in hand paid by Clinton K. Aston and Estella Aston, the party of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto said party of the second part, its heirs and assigns, the following property:

See Attached Exhibit A

To Have and to Hold, the same unto the said party of the second part, its heirs and assigns forever; and the said party of the first part hereby covenants that it is the lawful owner of said property, have good right, full power and lawful authority to convey the same, and that it will defend the title thereto against the lawful claims of all persons whomsoever.

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


Sidney Lee Schvaneveldt


Charlotte Olsen Schvaneveldt

BILL OF SALE FROM SIDNEY SCHVANEVELDT TO CLINTON ASTON

GENERAL ELECTRIC 100 HP MOTOR WITH PUMP; MODEL #: 5K6276XC19A

2 (TWO) HARVEST KING 4 INCH TO 5 INCH WHEEL LINES

2 (TWO) 4 INCH TO 5 INCH WHEEL LINES - MAKE UNKNOWN

ALL HAND LINES USED ON THE PARCEL

10 INCH TO 6 INCH STEEL PORTABLE AND BURIED MAIN LINE

ALL SALVAGABLE PARTS OF WHEEL AND HAND LINES

4 (FOUR) BRIGGS AND STRATTON MOTORS ON THE WHEEL LINES
THREE - 8 HP AND ONE - 7 HP

IDAHO WATER RIGHT NUMBER 13-4120 FOR 2.8 CFS

GOULDS PUMP; A9856261; MODEL #: HSJ20N

GOULDS 2 HP MOTOR; MODEL #: K48N2DB11A2; SERIAL #: 8K97

WELL STORAGE TANKS, MOTORS, PUMPS

STA-RITE 1.5 HP MOTOR; MODEL #: C4BL2ECLS

ALL PUMPS, MOTORS, CONNECTORS, VALVE OPENERS, HOSES



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

January 4, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CLINTON K ASTON
PO BOX 35
WESTON ID 83286

RE: Change in Ownership for Water Right No. 13-4120

Dear Mr. Aston:

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:

X **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

X **Legal Description of Property**

The Deed provided to our office for Ownership Evidence does not indicate ownership of property located in Township 16S, Range 38E, Section 5, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$. Please provide our office with further evidence showing ownership of this property.

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 Kari Lynn Townsend at 208-287-4952.

Sincerely,

Kandice McDermott
Records Analyst

/klm

RECEIVED

AUG 13 2004

DEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO

RECEIVED

AUG 05 2004

Department of Water Resources
Eastern Region

RECEIVED

JUL 30 2004

Department of Water Resources
Eastern RegionDEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease 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, 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
13-4120					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *\$25 - buyer*
- 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) are 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) SIDNEY LEE SCHVANEVELDT
6762 WEST 2200 SOUTH WESTON, ID 83286
4. New Owner/Claimant(s) CLINTON K. ASTON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
192 EAST DEPOT STREET, P.O. BOX 35
 New Mailing Address
WESTON, ID 83286
 City, State and ZIP Code
(435) 753-1117
 New Telephone Number
JULY 28, 2004
 5. Date you acquired the property

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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (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 (cubic feet per second or acre-feet per annum)	Description (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) _____

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 8-5-04 Fee \$85
 Receipted by QC Date 8-5-04 Receipt No. E 0 30111
 Processed by AJ Date _____ WR _____ Date _____