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DEC - 1 2004
DEPARTMENT OF
WATER RESOURCES

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
13-2209		X			

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) Lee Schvaneveldt Sidney Lee Schvaneveldt
465.2 E Weston, Id 6762 W 22005 Weston, Id 83286
4. New Owner/Claimant(s) Clinton K. Aston Estelita Aston
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 35 192 E Depot
- City, State and ZIP Code Weston, Id 83286
- New Telephone Number 435 770-5999
5. Date you acquired the property July 28, 2004

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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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>13-2209</u>		
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	<u>126 acres</u>	<u>See maps attached Highlighted & Warranty deed Survey</u>
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)

Charles Carter
Estelita Adams

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 gr Date 11-23-04 Fee \$100 -
 Receipted by gr Date 11-23-04 Receipt No. E030434
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received **Sidney Lee Schvaneveldt and Charlotte Olsen⁰⁵ 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 Olsen Schvaneveldt
Charlotte Olsen 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

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,

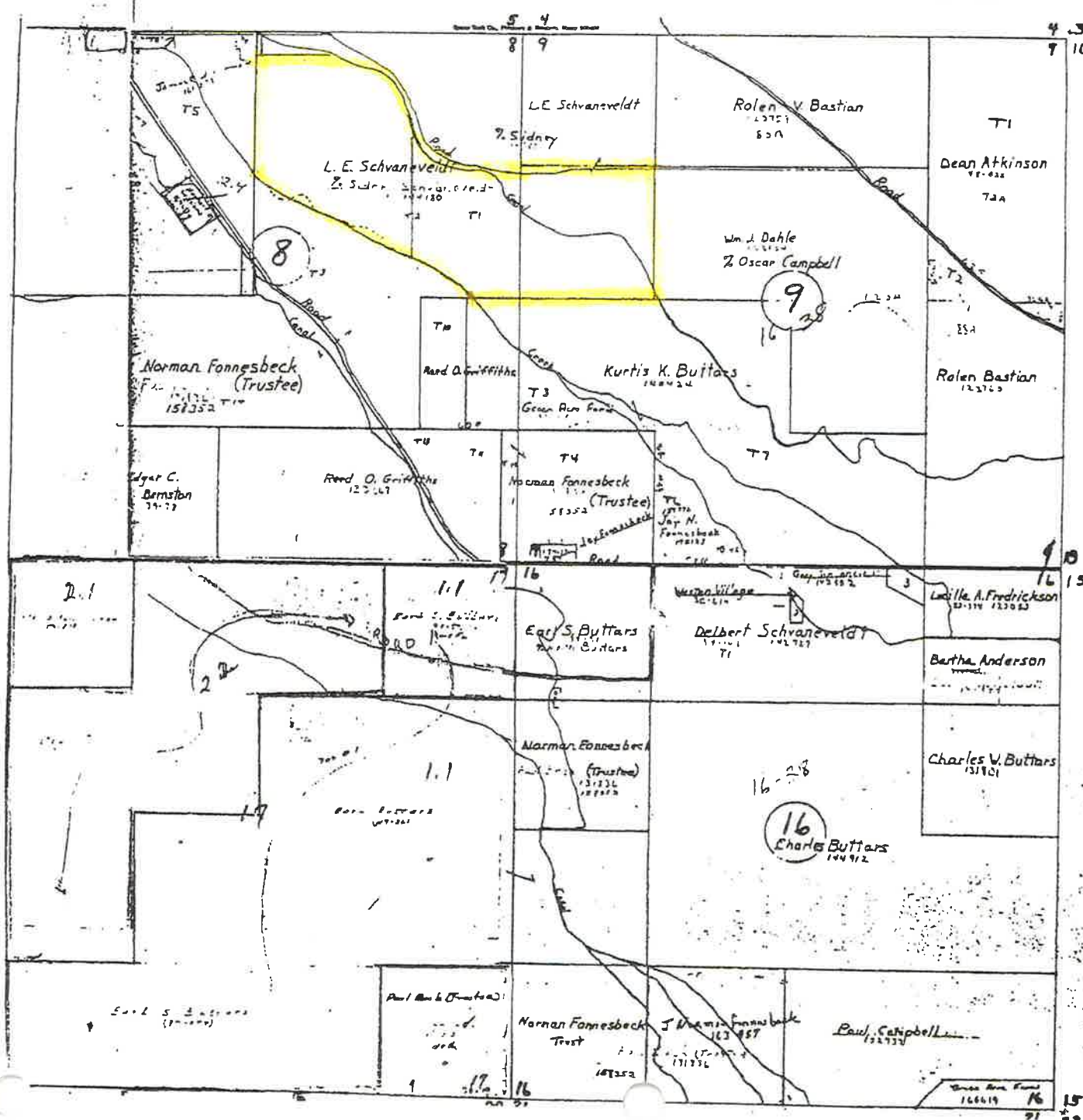
A parcel of land located in Sections 8 and 9, Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho and further described as follows:

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.



location of boundaries. It is not a part of, nor does it modify the commitment or policy to which it is attached. First American Title Company assumes NO LIABILITY for any matter related to this sketch. Reference should be made to an accurate survey for further information.

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/16/2004

WATER RIGHT NO. 13-2209

Owner Type	Name and Address
Current Owner	MYRON FONNESBECK WESTON, ID 83286
Current Owner	VEREEN BINGHAM 2388 S HWY 36 WESTON, ID 83286 (208)747-3213
Current Owner	NORMAN FONNESBECK 255 E 2 S WESTON, ID 83286
Current Owner	STERLING BINGHAM
Current Owner	LEE SCHVANEVELDT 46 S 2 E WESTON, ID 83286 (208)747-3255
Original Owner	LLOYD A BINGHAM RT 1 BOX 21 MOORE, ID 83255 (208)554-3203

→ Sid Schvaneveldt (son)

Priority Date: 06/13/1960

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	/	/	2.87 CFS	
DOMESTIC	/	/		
Total Diversion			2.87 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 36	Township 15S	Range 37E	FRANKLIN County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acr
15S	37E	36		NENE	4									
	38E	31		SWNW	37		SENE	12						
				NWSW	6									
16S		8		NENE	4		NWNE	36		SWNE	39		SENE	38
				NESE	10		NWSE	14						
		9		SWSW	39									
		10		NWSE	39		SWSE	40		SESE	40			
		11		SWSW	11									
		16		SWNW	34									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 403

Remarks:

1. General	LIC. INCORRECTLY SHOWS 406 ACRES.
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Dates:

Licensed Date: 11/16/1966

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

