

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82640
RECEIVED
AUG 15 2018

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

Department of Water Resources
Eastern Region

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Clinton K. Aston

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 15 2018

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Clinton K. Aston Phone (208) 747-3135
Mailing address PO Box 35, Weston, ID 83286 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

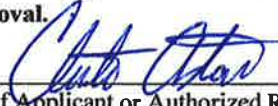
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Clinton Aston
Print Name and Title if applicable

8/13/18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☒ Other Update ownership: 13-2209 split
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Application proposes to change point of diversion and place of use for an 87-acre portion of right 13-2209 and combine it with water right 13-4120 to create a 187-acre place of use. 87-acre portion of right 13-2209 is associated with the old Lee Schvaneveldt property and is located within the authorized place of use for water right 13-4120.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☐ ☒	13-2209	0.62 cfs	Irrigation	4/1 to 10/31	Ground Water
☒ ☐	13-4120	2.80 cfs	Irrigation	4/1 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.42 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.61 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NE	8	16S	38E	Franklin	Ground Water	A0010617

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	38E	8	6.8	32	14	31													83.8
		9							37	4.0	32	22	8.2						103.2
Total Acres (for irrigation use)																			187

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

8/3/2018

Water Right 13-4120

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLINTON K ASTON PO BOX 35 WESTON, ID 83286

Priority Date: 6/26/1962

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.800 CFS	
	<u>Total Diversion</u>		2.800 CFS	

Source and Point(s) of Diversion

GROUND WATER NWNE Sec. 8, Twp 16S, Rge 38E, FRANKLIN County

Place Of Use

IRRIGATION within FRANKLIN County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	38E	5									1.0			15.0					16.0
16S	38E	8	8.0	38.0	14.0	35.0													95.0
16S	38E	9						36.0	40.0										76.0

POU Total Acres: 187.0

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/3/2018

Water Right 13-2209

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STERLING BINGHAM
Current Owner	NORMAN FONNESBECK
Current Owner	MYRON FONNESBECK
Current Owner	LEE SCHVANEVELDT
Current Owner	VEREEN BINGHAM

Priority Date: 6/13/1960

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	2.870 CFS	
DOMESTIC	/	/		
	<u>Total Diversion</u>		2.870 CFS	

Source and Point(s) of Diversion

GROUND WATER	NENE	Sec. 36, Twp 15S, Rge 37E, FRANKLIN County
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Place Of Use

IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	37E	36	4.0																4.0
15S	38E	31							37.0	12.0		6.0							55.0
16S	38E	8	4.0	36.0	39.0	38.0									10.0	14.0			141.0
16S	38E	9											39.0						39.0
16S	38E	10														39.0	40.0	40.0	119.0
16S	38E	11											11.0						11.0
16S	38E	16							34.0										34.0

POU Total Acres: 403.0

DOMESTIC Same as IRRIGATION

Conditions of Approval:

1. LIC. INCORRECTLY SHOWS 406 ACRES.

State of Idaho

License and Certificate of Water Right

Water License No. G-28818 Priority June 13, 1960 Amount 2.87 c.f.s.

THIS IS TO CERTIFY that LEWIS BINGHAM - Assignee VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBECK of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 13, 1960; that Permit No. G-28818 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.87 second feet, was issued thereunder on November 16, 1966, showing that said works were completed on the 28th day of May, 1965; and that on the 28th day of May, 1965 VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBE of Weston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation & domestic use, under Use Permit No. G-28818 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 13 of Licenses, at Page 8593, on the 16th day of November, 1966.

The right hereby confirmed dates from June 13, 1960.

The Point of Diversion is located

in the NE 1/4 NE 1/4, Sec. 36, Twp. 15 S, R. 37 E, B.M. Franklin 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 2.87 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
15 S	37 E	36	NE¼ NE¼	40	4		
			SW¼ NW¼	40	37		
			SE¼ NW¼	20	12		
			NW¼ SW¼	40	6		
16 S	38 E	8.	NE¼ NE¼	8	4		
			NW¼ NE¼	40	36		
			SW¼ NE¼	40	39		
			SE¼ NE¼	40	38		
			NE¼ SE¼	26	10		
			NW¼ SE¼	26	14		
			SW¼ SW¼	40	39		
			NW¼ SE¼	40	39		
		9.	S½ SE¼	80	80		
			10.	SW¼ SW¼	40	11	
				11.	SW¼ NW¼	40	34
					16		
		Total				number of acres to be irrigated:	

14 33 } 87 acres

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 16th day of November, 1966.

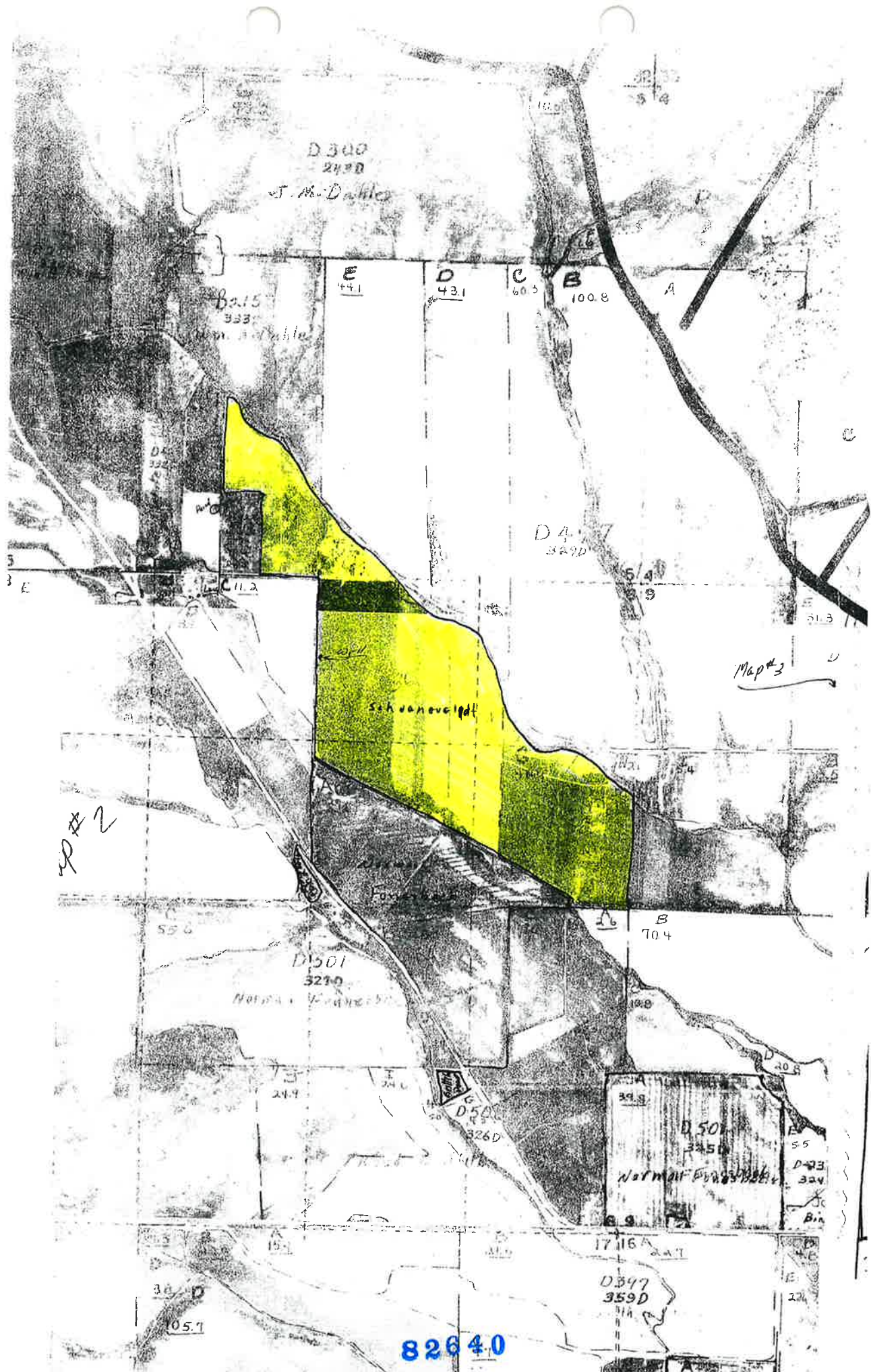
Assistant State Reclamation Engineer.

82640

RECORDED

APR 15 2005

2/8828



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Ground water well to wheel line and two partial pivots. System can be equipped with lockable device and flow meter if they are required in the future.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights are not being moved off of property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Irrigation will be limited to 187 acres. Remaining acres will be dried up.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

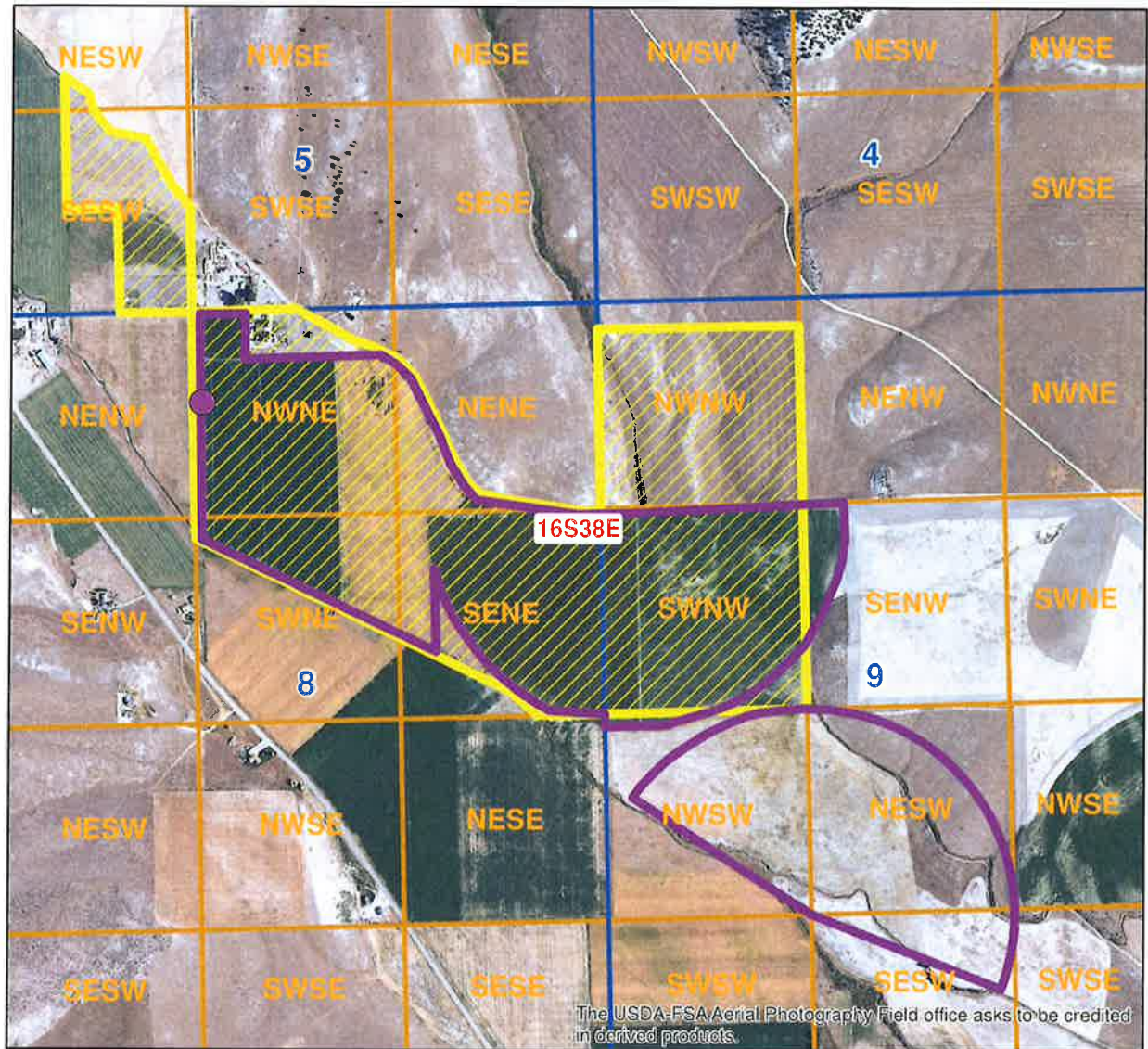
Yes No

- ☒ ☐ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

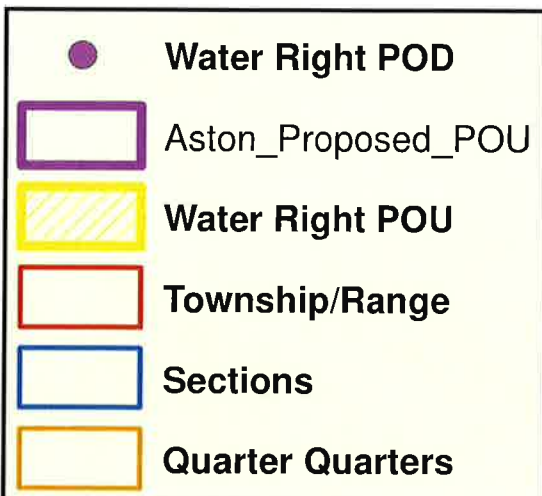
If yes, describe:

40 acres of ground Twp 16S Rng 38 E. Section 9 was placed in Soil Bank in 1983, irrigation was discontinued, it was placed in CRP program in 1985, In 1996 CRP contract expired and ground was put back in production. In 1998 the ground was placed back in CRP program until present. Groundwater right is protected from nonuse while under CRP contract. This property has not had 5 years of nonuse without being in CRP.

Aston Application for Transfer



2013 Aerial Photo



0 1,000 2,000 Feet



82640

275020¹⁻⁴

Recorded at the request of
Clinton Aston
Time 1:18 Amount \$ 15.00

QUIT CLAIM DEED

AUG 03 2018

SHAUNA T. GEDDES, RECORDER
By [Signature] Deputy
Franklin County, Idaho

STATE OF IDAHO

FRANKLIN COUNTY

KNOW ALL MEN BY THESE PRESENT, For Value Received

Charlotte Schvaneveldt
6762 W. 2200 S. Weston, Idaho 83286

Hereinafter called the grantor,

hereby quitclaims to Clinton K. Aston, a "Grantee",
residing at 5842 W. Hwy 36, County of Franklin, City of
Weston, State of FRANKLIN (hereinafter known as
the "Grantee(s)") all the rights, title, interest, and claim in or to the following described
WATER RIGHT, situated in FRANKLIN County, Idaho to-wit:
16 Acres of Ground Water Irrigation Right: Located in the State of Idaho, County of
Franklin Township 16 Range 38 Section 5 NW Quarter of NW Quarter. Idaho Water
Right No. 13-4120 . 2 Acres of Ground Water Irrigation Right: Located in the State of
Idaho, County of Franklin Township 16 Range 38 Section 8 NW Quarter of NW
Quarter. Idaho Water Right No. 13-4120

To have and to hold, the same together with all and singular the appurtenances
thereunto belonging or in anywise appertaining, right, title, interest, lien, equity and
claim whatsoever for the said first party, either in law or equity, to the only proper use,
benefit and behalf of the said second party forever

Charlotte Schvaneveldt
Grantor's Signature

Charlotte Schvaneveldt
Grantor's Name

6762 W 2200 S.
Address

Weston ID 83286
City, State & Zip

Page 1/2

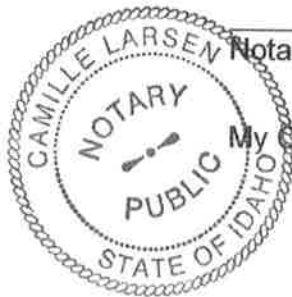
275020²⁻⁴

(STATE OF IDAHO)

COUNTY OF FRANKLIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charlotte Schuaneveldt whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 5TH day of July, 2018.



Camille Larsen
Notary Public

My Commission Expires: 2/21/2020

Page 2/2

QUIT CLAIM DEED

STATE OF IDAHO

FRANKLIN COUNTY

KNOW ALL MEN BY THESE PRESENT, For Value Received

Charlotte Schvaneveldt
6762 W. 2200 S. Weston, Idaho 83286

Hereinafter called the grantor,

hereby quitclaims to Clinton K. Aston, a "Grantee",
 residing at 5842 W. Hwy 36, County of Franklin, City of
Weston, State of FRANKLIN (hereinafter known as
 the "Grantee(s)") all the rights, title, interest, and claim in or to the following described
 WATER RIGHT, situated in FRANKLIN County, Idaho to-wit:
16 Acres of Ground Water Irrigation Right: Located in the State of Idaho, County of
Franklin Township 16 Range 38 Section 5 NW Quarter of NW Quarter. Idaho Water
Right No. 13-2209 . 2 Acres of Ground Water Irrigation Right: Located in the State of
Idaho, County of Franklin Township 16 Range 38 Section 8 NW Quarter of NW
Quarter. Idaho Water Right No. 13-2209

To have and to hold, the same together with all and singular the appurtenances
 thereunto belonging or in anywise appertaining, right, title, interest, lien, equity and
 claim whatsoever for the said first party, either in law or equity, to the only proper use,
 benefit and behalf of the said second party forever

Charlotte Schvaneveldt
 Grantor's Signature

Charlotte Schvaneveldt
 Grantor's Name

6762 W 2200 Sp.
 Address

Weston Id 83286
 City, State & Zip

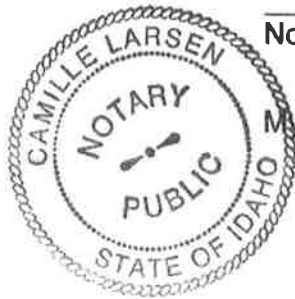
275020 4-4

(STATE OF IDAHO)

COUNTY OF FRANKLIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charlotte Schvaneveldt whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 11th day of July, 2018.



Camille Larsen
Notary Public

My Commission Expires: 2/21/2020

Page 2/2

275021¹⁻⁴

QUIT CLAIM DEED

STATE OF IDAHO

FRANKLIN COUNTY

Recorded at the request of
Clinton Aston

Time 1:20 Amount \$ 15⁰⁰

AUG 03 2018

SHAUNA T. GEDDES, RECORDER
By [Signature] Deputy
Franklin County, Idaho

KNOW ALL MEN BY THESE PRESENT, For Value Received

Shaun Schvaneveldt
6755 W. 2200 S. Weston, Idaho 83286

Hereinafter called the grantor,

hereby quitclaims to Clinton K. Aston, a "Grantee",
residing at 5842 W. Hwy 36, County of Franklin, City of
Weston, State of FRANKLIN (hereinafter known as
the "Grantee(s)") all the rights, title, interest, and claim in or to the following described
WATER RIGHT, situated in FRANKLIN County, Idaho to-wit:
4 Acres of Ground Water Irrigation Right; Located in the State of Idaho, County of
Franklin Township 16 Range 38 Section 8 NW Quarter of NW Quarter. Idaho Water
Right No. 13-4120

To have and to hold, the same together with all and singular the appurtenances
thereunto belonging or in anywise appertaining, right, title, interest, lien, equity and
claim whatsoever for the said first party, either in law or equity, to the only proper use,
benefit and behalf of the said second party forever

[Signature]

Grantor's Signature

Shaun Schvaneveldt

Grantor's Name

6755 West 2200 South
Address

Weston Idaho 83286
City, State & Zip

Page 1/2

(STATE OF IDAHO)

275021²⁻⁴

COUNTY OF FRANKLIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Shaun Schuaneveldt whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 5th day of July, 2018.



Camille Larsen
Notary Public

My Commission Expires: 2/21/2020

Page 2/2

275021³⁻⁴

QUIT CLAIM DEED

STATE OF IDAHO

FRANKLIN COUNTY

KNOW ALL MEN BY THESE PRESENT, For Value Received

Shaun Schvaneveldt
6755 W. 2200 S. Weston, Idaho 83286

Hereinafter called the grantor,

hereby quitclaims to Clinton K. Aston, a "Grantee",
residing at 5842 W. Hwy 36, County of Franklin, City of
Weston, State of FRANKLIN (hereinafter known as
the "Grantee(s)") all the rights, title, interest, and claim in or to the following described
WATER RIGHT, situated in FRANKLIN County, Idaho to-wit:
4 Acres of Ground Water Irrigation Right; Located in the State of Idaho, County of
Franklin Township 16 Range 38 Section 8 NW Quarter of NW Quarter. Idaho Water
Right No. 13-2209

To have and to hold, the same together with all and singular the appurtenances
thereunto belonging or in anywise appertaining, right, title, interest, lien, equity and
claim whatsoever for the said first party, either in law or equity, to the only proper use,
benefit and behalf of the said second party forever


Grantor's Signature

Shaun Schvaneveldt
Grantor's Name

6755 West 2200 South
Address

Weston Idaho 83286
City, State & Zip

Page 1/2

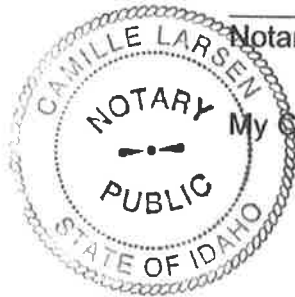
275021 4-4

(STATE OF IDAHO)

COUNTY OF FRANKLIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Shaun Schvanereldt whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 11th day of July, 2018.



Camille Larsen
Notary Public

My Commission Expires: 2/21/2020

Page 2/2

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 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

82640

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:

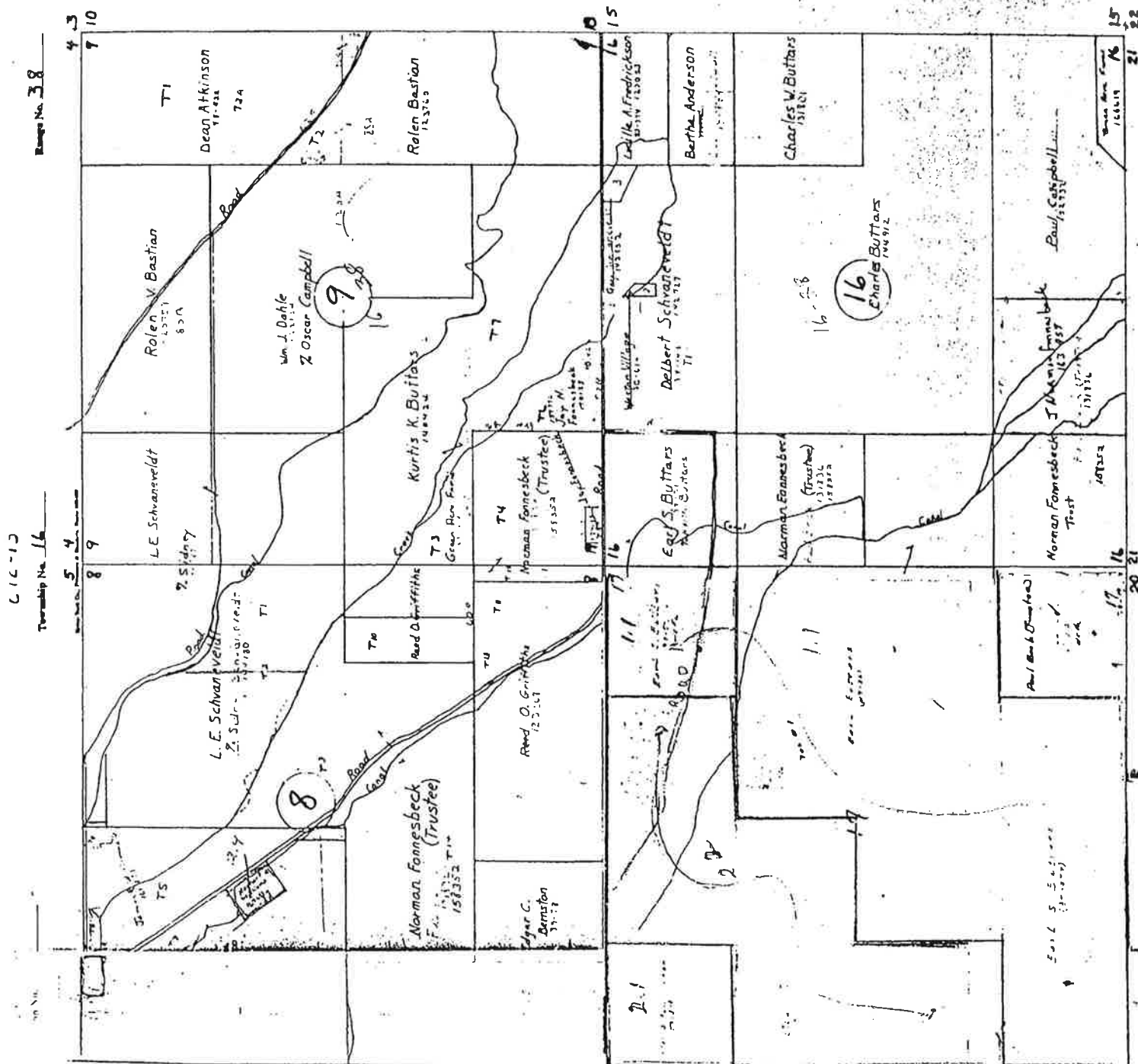
Beginning at the West Quarter corner of said Section 9 which is a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735" set on an East-West fence line, said corner being North 00°04'52" East 2684.55 feet (North 2640.00 feet by record) from the Southwest corner of said Section 9; thence North 89°24'36"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

This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property including, but not limited to, area, dimensions, easements, encroachments, or 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.



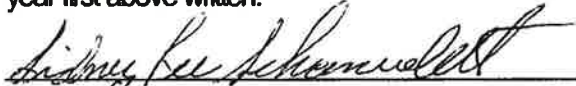
BILL OF SALE

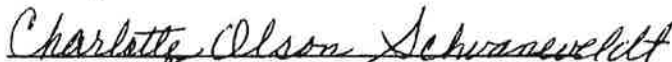
KNOW ALL MEN BY THESE PRESENTS, that on this 28th of July, 2004, Sidney Lee Schvaneveldt and Charlotte Olsen Schvaneveldt, of Weston, County of Franklin, State of ID the party of the first part, for and in valuable consideration, to it in hand paid by Clinton K. Aston and Estelita Aston, the party of 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

June 28, 2018

Idaho Department of Water Resources
Attn: James Cefalo
Eastern Idaho Water Resources Dept.
900 N Skyline Dr. Ste A
Idaho Falls, ID 83402-1718

RECEIVED
JUL 05 2018
Department of Water Resources
Eastern Region

Re: Disclaim Ownership of Water Right

Dear Mr. Cefalo:

Please be aware that Farmland Reserve, Inc. (FRI), does not own or claim any interest in water right 13-4120. The current place of use for this includes a portion of land that FRI owns, the place of use can be modified to exclude the land that is indicated on the map attached.

Sincerely,



Warren Peterson
Vice President

Acknowledgment

STATE OF UTAH)
§
COUNTY OF SALT LAKE)

On the 28th day of June, 2018, before me, Jamy Beal, Notary Public, personally appeared Warren Peterson, Vice President of Farmland Reserve, Inc., personally known to me, to be the person whose name is subscribed to within the preceding document and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the preceding document the person or the entity on whose behalf the person acted, executed the instrument.




NOTARY PUBLIC
My Commission Expires 1-4-21

82640

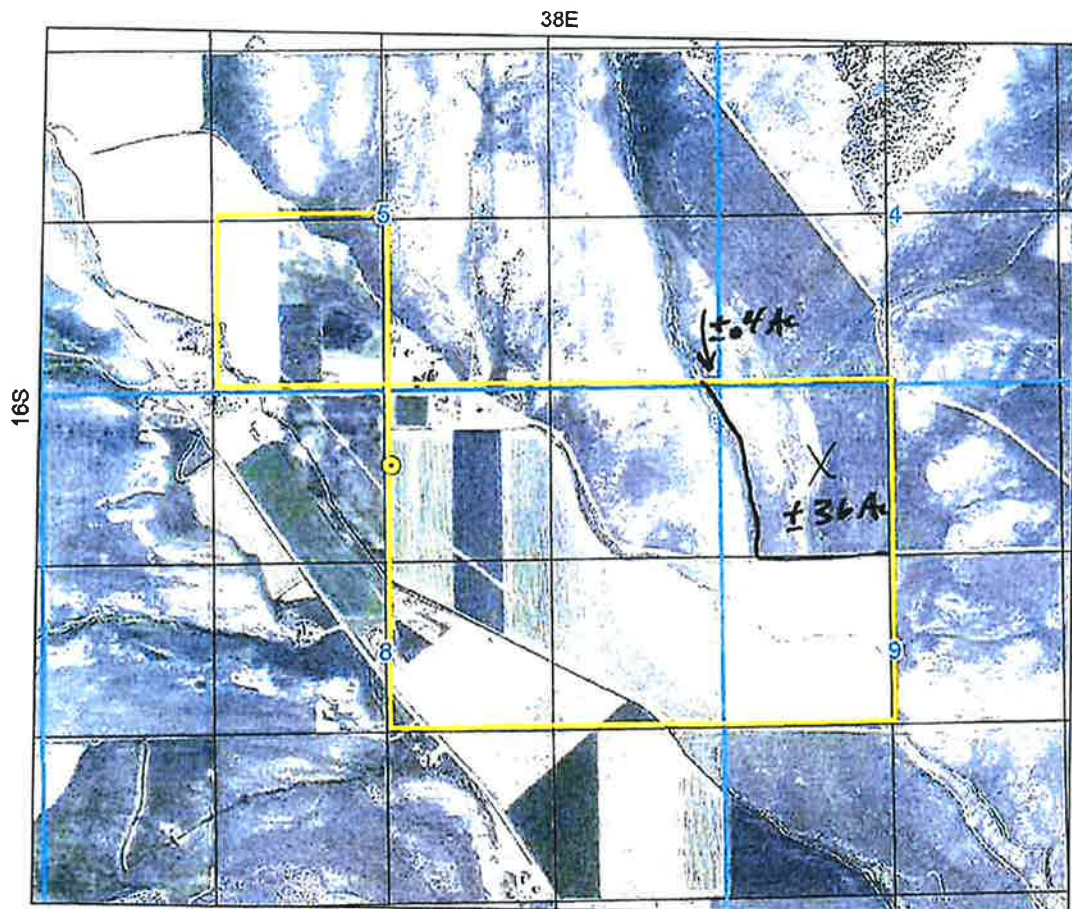
State of Idaho
Department of Water Resources

Water Right

13-4120

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.15 0.3 0.6 Miles



Map produced on March 19, 2018

82640