

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 30 2014

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7896	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

Richard W. Schelske and Iris Schelske, Individually, and as Trustees of the Richard and Iris Schelske Living

2. Previous Owner's Name: Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Richard W. Schelske, as Trustee of the Richard and Iris Schelske Family Trust
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

PO Box 272

Mailing address

Aberdeen

City

208-397-4168

Telephone

ID

State

83210

ZIP

N/A

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
 - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 5-30-96

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature: Richard W. Schelske As Trustee of the Richard and Iris Schelske Family Trust 12-5-2013
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 1/30/2014 Receipt No. E039486 Receipt Amt. \$100. -

Approved by JB Processed by JB Date 2/13/2014 \$25. - for this app.

CORRECTED WARRANTY DEED

444550

To Correct W.D. #440938

For Value Received RICHARD W. SCHELSKE and IRIS SCHELSKE.

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: RICHARD W. SCHELSKE and IRIS SCHELSKE, Trustees, or their successors in trust, under the RICHARD AND IRIS SCHELSKE LIVING TRUST dated September 28, 1995, and any amendments thereto.

Hereinafter called the grantee, whose current address is: P.O. Box 272 184 S. 2nd. W.
Aberdeen, ID 83210

the following described premises, in Bingham County, Idaho, to-wit:

Well #5 & 6 (Morgan Place)

All of Section 36, Township 5 South, Range 30, E B.M., containing 640 acres more or less.

EXCEPTING THEREFROM: Well #7 (Thornley Place)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED:

Richard W. Schelske
RICHARD W. SCHELSKE

IRIS Schelske
IRIS SCHELSKE

STATE OF IDAHO, COUNTY OF Bingham
On this 1st day of January before
me, a notary public in and for said State, personally
appeared

RICHARD W. SCHELSKE
IRIS SCHELSKE

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that they executed the
same.

Notary Public

Residing at 1234 1st St. N. Idaho

Comm. Expires 12/31/98

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for
at the request of
at 10 minutes past 10 o'clock AM on
this 1st day of January
19 98, in my office, and duly recorded in Book of
Deeds at page

Ex-Officio Recorder

By Deputy

Fees \$

Mail to:

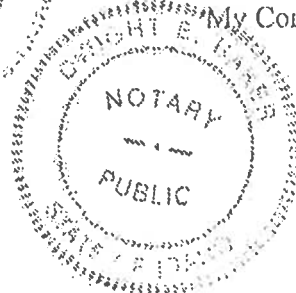
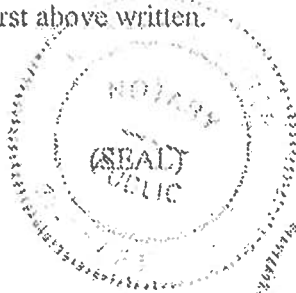
RECORDED AT THE REQUEST OF
26 JAN 30 PM 4:18
CLERK OF DISTRICT COURT
IDAHO

444550

STATE OF IDAHO)
) ss:
County of Bingham)

On this 5th day of December, 2013, before me a Notary Public of the State of Idaho, personally appeared RICHARD W. SCHELSKE, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of THE RICHARD W. SCHELSKE AND IRIS SCHELSKE LIVING TRUST, and acknowledged to me that he executed the same as such Trustee of THE RICHARD W. SCHELSKE AND IRIS SCHELSKE LIVING TRUST.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Dwight E. Baker
Notary Public
Residing at Blairstown, Idaho
My Commission Expires 12-10-16

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 654931

BINGHAM COUNTY, IDAHO
2013-12-10 09:42:09 AM No. of Pages: 2
Recorded for: BAKER & HARRIS
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy KCunningham
Index To: DEED
Electronically Recorded by Simplifile

space above this line for Recording use only

GRANT DEED

THIS INDENTURE, made this 5th day of ~~October~~ ^{December}, 2013, between RICHARD W. SCHELSKE, as TRUSTEE of THE RICHARD W. SCHELSKE AND IRIS SCHELSKE LIVING TRUST, Grantor, to RICHARD W. SCHELSKE, as TRUSTEE of THE RICHARD AND IRIS SCHELSKE FAMILY TRUST, of PO Box 272, Aberdeen, Idaho 83210, Grantee.

WITNESSETH: That the said Grantor, for good and valuable consideration paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said Grantee, and to its successors and assigns all the certain land situate, lying and being in the County of Bingham, State of Idaho, described as follows, to wit:

640 Acres, together with Water Rights No. 35-7896 and 35-2835A, particularly described as follows:

Township 5 S, Range 30 EBM, Bingham County, Idaho
Section 36: All

Together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

IN WITNESS WHEREOF, the said Grantor hereunto subscribed his name to this instrument the day and year first above written.

DATED this 5th day of ~~October~~ ^{December}, 2013.

Richard W. Schelske

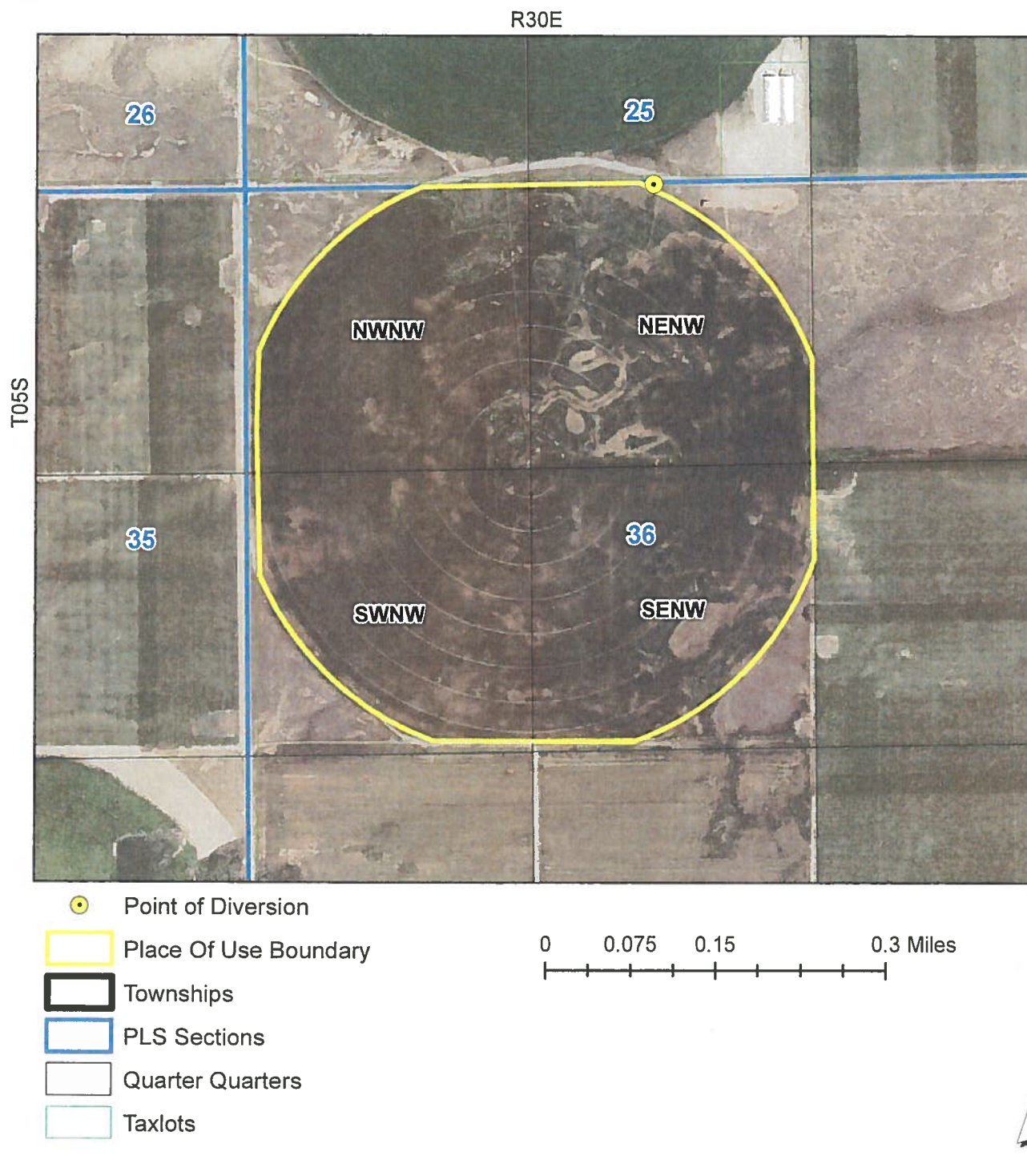
Richard W. Schelske, as Trustee of the
Richard W. Schelske and Iris Schelske Living Trust

State of Idaho
Department of Water Resources

Water Right 35-7896

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.



MEMORANDUM AGREEMENT

WHEREAS, Richard W. Schelske and Iris Schelske were married on or about January 25, 1969; and

WHEREAS, during the course of their marriage they created a living trust known as the Richard and Iris Schelske Living Trust; and

WHEREAS, Under the terms of said trust Richard and Iris Schelske, or the survivor at the death of the first Trustor, were appointed as Trustee(s); and

WHEREAS, Iris Schelske died on September 2, 2012; and

WHEREAS, Richard and Iris Schelske owned certain property as community property outside of their trust on the time of Iris' death,

WHEREAS, Richard W. Schelske was appointed Personal Representative of the Estate of Iris Schelske on October 1, 2012; and

WHEREAS, the will of Iris Schelske provides:

Article Three Disposition of My Property

Section 1. Distribution to My Revocable Living Trust

I give all of my property of whatever nature and kind and wherever located to my revocable living trust of which I am a Trustor known as:

RICHARD W. SCHELSKE and IRIS SCHELSKE, Trustees, or their successors in trust, under the RICHARD AND IRIS SCHELSKE LIVING TRUST dated September 28, 1995; and

WHEREAS, the distributive provision of said Trust, provides at Article Seven "Division into Survivor's Trust and Family Trust" as

Richard and Iris Schelske Living Trust

Estate of Iris Schelske

Richard W. Schelske

By: Richard W. Schelske

Its: Trustee

Trustee

Richard W. Schelske P.R.

By: Richard W. Schelske

Its: Personal Representative

Richard W. Schelske

Richard W. Schelske, Individually