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APR - 2 2002

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

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 division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 35-7667               |                              |       |                       | 35-2296                      |       |
| 35-9000               |                              |       |                       | 35-4022                      |       |
| 35-8980               | } EASTERN                    |       |                       | 35-2385                      |       |
| 35-9002               |                              |       |                       | 35-2485                      |       |
|                       | 35-7068                      |       |                       |                              |       |

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) Vern R and Marilyn A Duffin, husband and wife  
2142 S 2800 W, Aberdeen, ID 83210
4. New Owner/Claimant(s) Richard W and Iris Schelske, husband and wife  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 272
- City, State and ZIP Code Aberdeen, ID 83210
- New Telephone Number 208 397-4816
5. Date you acquired the property 3/13/02

See WR # 35-02296 for support documentation

**MICROFILMED**  
**JUL 10 2002**

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|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>35-7667</u>        | _____                        | ___   | _____                 | <u>35-2296</u>               | ___   |
| <u>35-9000</u>        | _____                        | ___   | _____                 | <u>35-4022</u>               | ___   |
| <u>35-8980</u>        | } <u>EASTERN</u>             | ___   | _____                 | <u>35-2385</u>               | ___   |
| <u>35-9002</u>        |                              | ___   | _____                 | <u>35-2485</u>               | ___   |
| _____                 | <u>35-7068</u>               | ___   | _____                 | _____                        | ___   |

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4. New Owner/Claimant(s) Richard W and Iris Schelske, husband and wife  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
- New Mailing Address PO Box 272
- City, State and ZIP Code Aberdeen, ID 83210
- New Telephone Number 208 397-4816
5. Date you acquired the property 3/13/02

*See WR # 35-02296 for support documentation*

**MICROFILMED**

**JUL 10 2002**

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

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) Richard W. Schelke  
(include title if applicable) Iris Schelke

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.

|                            |                     |                            |            |
|----------------------------|---------------------|----------------------------|------------|
| <b>For Office Use Only</b> |                     |                            |            |
| Received by <u>gc</u>      | Date <u>3/22/02</u> | Fee <u>\$225 -</u>         |            |
| Received by <u>gc</u>      | Date <u>3/26/02</u> | Receipt No. <u>E027574</u> |            |
| Processed by _____ AJ      | Date _____          | WR _____                   | Date _____ |

MICROFILMED  
JUL 10 2002

2002 JAN 31 PM 3:07

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Case No. 39576 )

ORDER OF PARTIAL DECREE

For Water Right 35-04022

On November 16, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-04022 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
 )  
Case No. 39576 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 35-04022

2002 JAN 31 PM 3:56  
DISTRICT COURT-SRBA  
TWIN FALLS CO, IDAHO  
FILED \_\_\_\_\_

NAME AND ADDRESS: MARILYN DUFFIN  
VERN R DUFFIN  
2142 S 2800 W  
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 2.22 CFS  
511.00 LFY

PRIORITY DATE: 11/20/1959

POINT OF DIVERSION: T06S R30E S26 NWSESW Within Bingham County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------------------|----------------|----------------|------------|
|                            | Irrigation     | 04-01 TO 10-31 | 2.22 CFS   |
|                            |                |                | 544.00 AFY |

|               |                   |           |                       |
|---------------|-------------------|-----------|-----------------------|
| PLACE OF USE: | Irrigation        |           | Within Bingham County |
|               | T06S R30E S26     | NESW 34.0 | NWSW 34.0             |
|               |                   | SWSW 34.0 | SESW 34.0             |
|               | 136.0 Acres Total |           |                       |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

**RULE 54 (b) CERTIFICATE**

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

2002 JAN 31 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

CERTIFICATE OF MAILING

Case No. 39576 )

Water Right(s): 35-04022

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-04022 was mailed  
on January 31, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

MARILYN DUFFIN  
VERN R DUFFIN  
Represented by:  
JEFFREY C. FEREDAY  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

DIANA DELANEY  
Chief Deputy Clerk

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CERTIFICATE OF MAILING 1/18 2002

PAGE 1  
01/31/02

1820

2001 NOV 16 PM 1:47

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 35-04022

NAME AND ADDRESS: MARILYN DUFFIN  
VERN R DUFFIN  
2142 S 2800 W  
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 2.22 CFS  
544.00 AFY

PRIORITY DATE: 11/20/1959

POINT OF DIVERSION: T06S R30E S26 NWSEW Within Bingham County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 04-01 TO 10-31 | 2.22 CFS<br>544.00 AFY |

| PLACE OF USE: | Irrigation        | Within Bingham County  |
|---------------|-------------------|------------------------|
|               | T06S R30E S26     | NESW 34.0<br>SWSW 34.0 |
|               | 136.0 Acres Total | NWSW 34.0<br>SESW 34.0 |

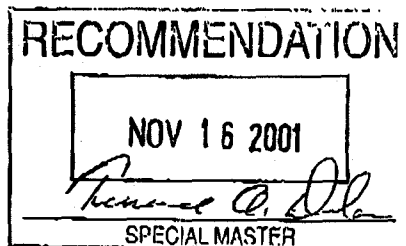
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## RULE 54(D) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication





State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 24, 2002

RICHARD W SCHELSKE  
IRIS SCHELSKE  
PO BOX 272  
ABERDEEN ID 83210

RE: Change of Ownership for Water Rights 35-2296, 35-2385, 35-2485, 35-4022,  
35-7068, 35-7667

Dear Water Right Holder(s):

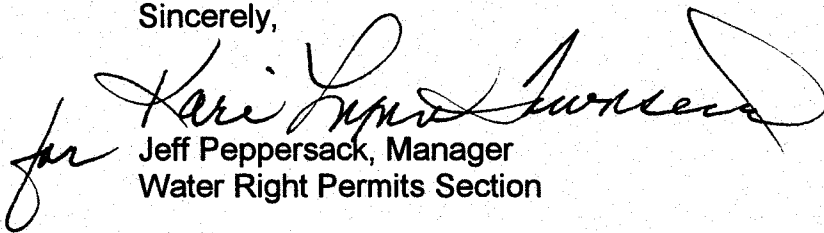
The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Your original ownership change request included water rights 35-8980, 35-9000, and 35-9002. They will be processed by our Eastern Region office in Idaho Falls.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

cc: Sharla Cox, Eastern Region

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JUL 10 2002