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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
✓ R34-00396D					
✓ R34-00262B					
✓ R34-00655B					
✓ 34-02357A					

RECEIVED
APR 17 2003
 Department of Water Resources
 Eastern Region

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)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

R. SCOTT STALEY AND TEKLA ANN STALEY
 Name Connector (Check one). [] and, [] or, [] and/or

1443 W. 3700 N.

Howe, IDAHO 83244

208 767-3807

April, 1st, 2003

Susan C Merrill
 P.O. Box 640
 Moore, Id 83255

Judith Opitz
 2 Wood Ct.
 Helena, MT 59601

Barbara L. Huelsman
 3473 W. 3450 N.
 Moore, Id 83255

6

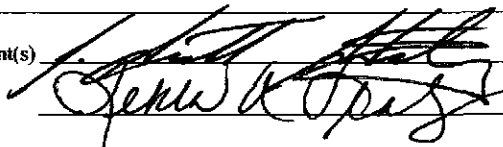
If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right 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 JO Date 4-27-03 Fee \$0.00 -
 Received by JO Date 4-27-03 Receipt No 5028682
 Processed by AJ Date _____ WR _____ Date _____

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B47046

QUITCLAIM DEED

For Value Received **SUSAN C MERRILL**, an unmarried woman, **JUDITH A OPITZ AND WILLIAM J OPITZ**, wife and husband and **BARBARA L HUELSMAN AND LONE JAMES HUELSMAN**, wife and husband

do hereby convey, release, remise and forever quit claim unto

R SCOTT STALEY AND TEKLA A STALEY, husband and wife

whose address is: **1443 WEST 3700 NORTH, HOWE, IDAHO 83244-8703**

Hereinafter called the Grantee, the following described premises situated in **Butte** County, Idaho, to-wit:

311 213
Township 3 North, Range 27 E.B.M., Butte County, Idaho
Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 11: NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

together with its appurtenances.

Dated: March 10, 2003

Susan C Merrill by Barbara L Huelsman
SUSAN C MERRILL BY BARBARA L HUELSMAN, her attorney-in-fact

Judith A Opitz
JUDITH A OPITZ

William J Opitz
WILLIAM J OPITZ

Barbara L Huelsman
BARBARA L HUELSMAN

Lone James Huelsman
LONE JAMES HUELSMAN

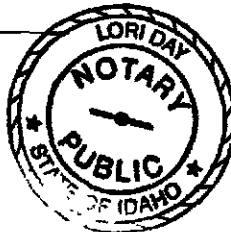
STATE OF Idaho

)
)ss.
)

COUNTY OF Bingham

On this 1st day of April, in the year of 2003 before me the undersigned, personally appeared **JUDITH A OPITZ, WILLIAM J OPITZ, BARBARA L HUELSMAN AND LONE JAMES HUELSMAN**, 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.

Lori Day
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/03

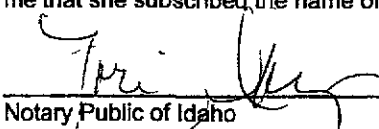


STATE OF Idaho

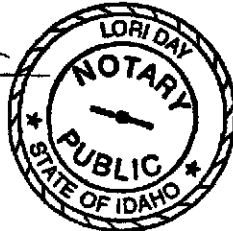
)ss.

COUNTY OF BINGHAM

On this 1st day of April, 2003, before me the undersigned, personally appeared Barbara L Huelsman, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument as the attorney in fact of Susan C Merrill, and acknowledged to me that she subscribed the name of Susan C Merrill, and her own name as attorney in fact.



Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/03



WARRANTY DEED

THIS INDENTURE, made this 1st day of April, in the year of our Lord, Two Thousand Three, between BARBARA L. HUELSMAN, of Moore, County of Butte, State of Idaho, SUSAN C. MERRILL, of Moore, County of Butte, State of Idaho and JUDITH A. OPITZ, of Helena, County of Lewis and Clark, State of Montana, the parties of the first part, and R. SCOTT STALEY and TEKLA A. STALEY of Howe, County of Butte, state of Idaho, the parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, lawful money of the United States of America, to her in hand paid by the parties of the second part, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell, Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever the following described property situated, lying and being in the County of Butte, State of Idaho, commonly known as the Butte City Farm, bounded and more particularly described as follows:

N1/2 of NE1/4, SE1/4 of NE1/4, Pat. #11-82-0017, E1/2 of SE1/4 of Section 10,
Township 3 North, Range 27, E.B.M. and

NW1/4 of SW1/4, Pat. #11-82-0017, SW1/4 of SW1/4, T #46-50, T # -47-50
of Section 11, Township 3 North, Range 27, E.B.M.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said property unto the parties of the second part, and to their heirs and assigns forever. The said party of the first part, and their heirs and assigns, warrant the said premises in quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part has hereunto set their hand and seal the day and year first above written.

Barbara L. Huelsman
BARBARA L. HUELSMAN

Susan C. Merrill by Barbara L. Huelsman
SUSAN C. MERRILL

Judith A. Opitz
JUDITH A. OPITZ

STATE OF IDAHO

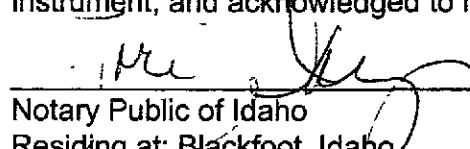
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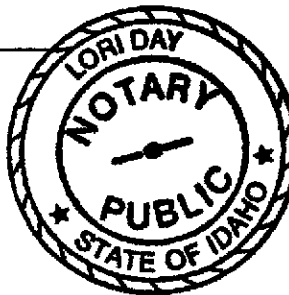
)ss.

COUNTY OF Bingham

)

On this 1st day of April, in the year of 2003, before me the undersigned, personally appeared Judith A Opitz and Barbara L Huelsman, 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.


Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/2003



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

December 14, 2001

BARBARA HUELSMAN
JUDITH OPITZ
SUSAN MERRILL
RT 1 BOX 122A
MOORE, ID 83255

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 34-00262B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on February 20, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

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)

Water Right 34-00262B

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on February 20, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 05-01 10-15

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated December 14, 2001

Roger Burdick
ROGER 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 34-002628

1998 FEB 20 PM 1:38
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: DOROTHY SCHUREMAN
DOUG SCHUREMAN
RT 1 BOX 226
ARCO ID 83213

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.57 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T04N R26E S26 NWNWNW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.57 CFS

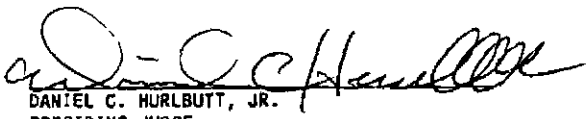
PLACE OF USE:	IRRIGATION	Within BUTTE County		
	T03N R27E S10	NENE 5	NWNE 32	SENE 34
		SESE 40		NESE 19
	S11	NWSW 39	SWSW 32	
	201 ACRES TOTAL			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 201 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-003960, 34-006558
AND 34-02357A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 28.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1998 FEB 20 PM 1:38

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**

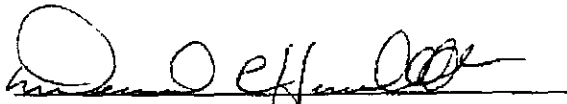
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-00262B
_____	)	

On October 23, 1997, 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 34-00262B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 20, 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

1998 FEB 20 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-00262B

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 34-00262B was mailed
on February 20, 1998, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO

Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

USDI BLM

Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
02/20/98

DOUG SCHUREMAN
SCHUREMAN, DOROTHY
ROUTE 1 BOX 226
ARCO, ID 83213

DIANA DELANEY
Chief Deputy Clerk



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 10, 2004

RONALD SCOTT STALEY
TEKLA A STALEY
1443 W 3700 N
HOWE ID 83244

RE: Change of Ownership for Water Right 34-262B, 34-396D, 34-655B, & 34-2357A

Dear Water Right Holders.

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

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,

For Jeff Peppersack, Manager
Water Right Permits Section

JP.eja

Enclosures