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SEP 28 1993

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication of Rights
to the Use of Water From the Snake River
Basin Water System.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

36-02290 -0001/
93-09-0037

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☒ CHANGE IN ADDRESS

My name is JOHN O. ELLIOTT AND CAROL J. ELLIOTT

I am the claimant of Water Right Number 36-02290

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

Water Right Number 36-02290

(Insert each water right number)

My new mailing address is 3309 S 1800E, Wendell, ID 83355

My phone number is: Work _____ Home 536-6212

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is GARY B. DIMOND AND RUTH P. DIMOND

My address is 3027 South 1800 East, Wendell, Idaho 83355

My phone number is: Work _____ Home 536-2022

The name and address of the party who I wish to be substituted for are:

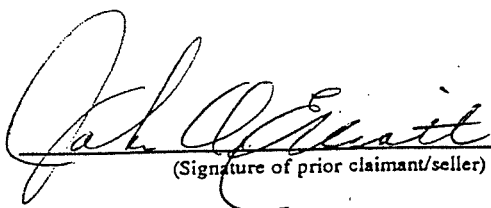
JOHN O. ELLIOTT AND CAROL J. ELLIOTT

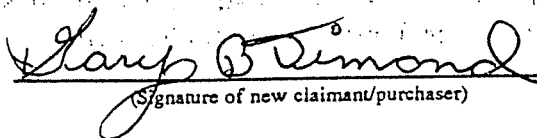
3309 South 1800 East, Wendell, Idaho 83355

I am the new claimant/purchaser of Water Right Number 36-02290 and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed, Instrument No. 153956


(Signature of prior claimant/seller)


(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

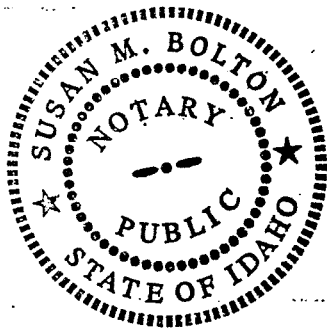
GARY B. DIMOND, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Gary B Dimond
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on September 1, 1993
(Insert Date)



Susan M. Bolton
Notary Public for Idaho
Residing at: Gooding, Idaho
My Commission expires: 10-16-98

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on September 27, 1993, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

✓ Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

✓ 2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3309 South 1800 East, Wendell, Idaho 83355

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

3309 South 1800 East, Wendell, Idaho 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

3027 South 1800 East, Wendell, Idaho 83355

✓ 4. One copy to:

Chief, Natural Resources Division

Office of the Attorney General

State of Idaho

P. O. Box 44449

Boise, Idaho 83711-4449

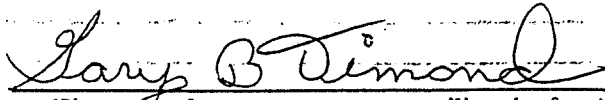
✓ 5. One copy to:

United States Department of Justice

Environment and Natural Resource Division

550 West Fort Street, Box 33

Boise, Idaho 83734


(Signature of person or attorney mailing the form)



WARRANTY DEED

RECEIVED

SEP 28 1993

Department of Water Resources
Adjudication Bureau

For Value Received

John O. Elliott and Carol J. Elliott, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Gary B. Dimond and Ruth P. Dimond, husband and wife,
hereinafter referred to as Grantee, whose current address is

3027 South 1800 East, Wendell, ID, 83355

the following described premises, to-wit:

The Northeast Quarter of Section 19, Township 8 South, Range 15 East
of the Boise Meridian, Gooding County, Idaho.

AND

That part of the Northwest Quarter of the Northwest Quarter of
Section 20, Township 8 South, Range 15 East of the Boise Meridian,
Gooding County, Idaho, South of the North Side Canal Company Lateral
No. S-19.

TOGETHER with Department of Water Resources Water Right No. 36-02290
AND TOGETHER with 51 shares of North Side Canal Company water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that 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: September 1, 1993.

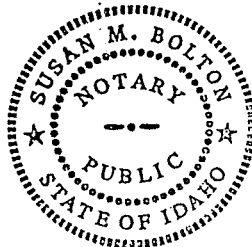
John O. Elliott
John O. Elliott

Carol J. Elliott
Carol J. Elliott

STATE OF IDAHO

COUNTY OF Gooding

On This 1st day of September, in the year 1993, before me, a Notary Public
in and for said State, personally appeared John O. Elliott and Carol J. Elliott,
known or identified to me to be the persons whose names are subscribed to the within
Instrument, and acknowledged to me that they executed the same.



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10-16-98

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

35 min. past 4 o'clock P m. this 2
of Sept, 1993 3.00

JOHN A. MYERS Recorder

By Cubeta Sides Deputy

153956

First American Title Company of Idaho