

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

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

Petitioner,

VS.

United States; State of Idaho;
and all claimants to the use
of water from the Snake River
Basin Water System,

Respondents.

) Case No. 39576
)
)
) Water Right No. 36-00075
)
)
)
)
) Standard Form 3
)
) STANDARD FORM FOR NOTICE
) OF CHANGE IN ADDRESS
)
)
) OR
)
)
)
) CONSENT TO SUBSTITUTION
) OF PARTY

DESCRIPTIVE SUMMARY

The following document is SRBA Standard Form 3, Consent to Substitution of Party which is being filed on behalf of Ignacio Nick Zabala for water right no. 36-00075 as the new owner for said water right.

CONSENT TO SUBSTITUTION OF PARTY

My name is: Ignacio Nick Zabala

My address is: P. O. Box 262, Hagerman, Idaho 83332.

My phone number is: Home: (208) 837-6554

The name and address of the party who I wish to be substituted for are: John Kiser, Karl Woodall & Sons, Inc.

I am the new claimant/purchaser of water right number 36-00075 *and* 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.

Copy of Warranty Deed is attached

X John Kiser
(Signature of prior
claimant/seller)

Ignacio Nick Zabala
(Signature of new claimant/
purchaser)

RECORDED & INDEXED
JAN 14 1987

406 B * 1027

RECEIVED

ATTORNEY OF RECORD COMPLETING FORM

My name is Patrick D. Brown.

I am the attorney of record for: Ignacio Nick Zabala, the new and present owner of water right no. 36-00075, as well as the attorney of record for John Kiser and/or Karl Woodall & Sons, Inc., the former owner of these water rights.

My address and telephone number are: 133 Shoshone Street North, P. O. Box 389, Twin Falls, Idaho 83303-0389, Telephone number (208) 734-7510.

VERIFICATION

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

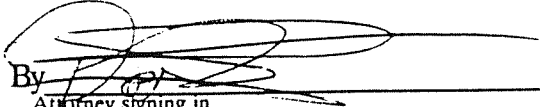
State of Idaho

County of Twin Falls

Patrick D. Brown, being first duly sworn upon oath, 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. Sections 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.

Signature of person filing form

By 
Attorney signing in
representative capacity

Subscribed and sworn to before me on

Oct. 8, 1993
(Insert Date)

Christ Herganahan
Notary Public for Twin Falls, Idaho

Residing at: Twin Falls

My Commission Expires: 9-20-94

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 _____, 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):

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

John Kiser
P. O. Box 64
Hagerman, ID 83332

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):

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

For Value Received

E. W. Woodall

Karl Woodall & Sons, Inc., an Idaho Corporation
and John Kiser, a joint venture

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

[Ignacio Nick Zabala and Maria Carmen Zabala, husband and wife]

hereinafter referred to as Grantee, whose current address is

P.O. Box 262
Hagerman, Idaho 83332

the following described premises, to-wit:

Lots 1, 2, 3 and 4 in Block 1 of LAKE VIEW SUBDIVISION, being a portion of the Southeast Quarter of the Southeast Quarter of Section 2, Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho, according to the plat thereof, recorded December 21, 1992 as Instrument No. 151043 in the Office of the County Recorder of said County.

TOGETHER with all water rights appurtenant thereto.

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: June 7, 1993.

KARL WOODALL & SONS, INC.

By: *Ernest W. Woodall*
Ernest W. Woodall, President

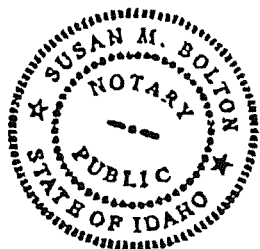
By: *John K. Woodall*
John K. Woodall, Secretary

John Kiser
John Kiser

STATE OF IDAHO

COUNTY OF Gooding

On this 7th day of June, in the year 1993, before me, a Notary Public in and for said State, personally appeared John Kiser and 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

First American Title Company of Idaho



STATE OF IDAHO)

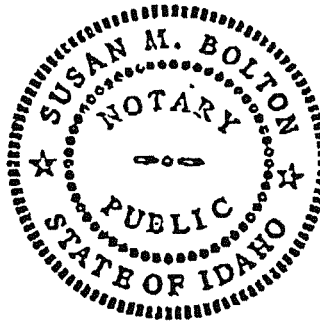
: ss

COUNTY OF ADA)

On This 3rd day of June, in the year 1993, before me, a Notary Public in and for said State, personally appeared Ernest W. Woodall and John K. Woodall, known or identified to me to be the President and Secretary respectively of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Susan M. Bolton

Notary Public of Idaho
Residing at Gooding, ID
Commission Expires: 10-16-98



152919

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

45 min. past 10 o'clock A m. this 7
of June 1993 6.00

JOHN A. MYERS Recorder

By *Alberta Solis* Deputy