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JAN 19 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, <u>ex rel.</u> R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources,	)	STANDARD FORM FOR NOTICE OF CHANGE IN ADDRESS
	)	
Petitioner,	)	OR
	)	CONSENT TO SUBSTITUTION OF PARTY
vs.	)	
	)	39576
The United States; the State of Idaho; and all Claimants to the Use of Water From the Snake River Basin Water System,	)	[36-11641]/
	)	94-01-0048
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 _____

I am the claimant of _____

(Insert each water right number)

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

☒ CONSENT TO SUBSTITUTION OF PARTY

My name is Donald G. Bell

My address is 31424-168th Way, Auburn, WA 98002

My phone number is: Work _____ Home (206) 631-3446

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

Katie J. Acock, Rt. 4, Rupert, ID 83350

I am the new claimant/purchaser of 36-11641 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.

Copy of Recorded Deed of Personal Representative of the
Estate of Katie J. Acock Deceased.

Water Right No. 36-11641, Dept of Water Resources List.

Estate of Katie J. Acock

By: Wanda Ballard
(Signature of prior claimant/seller)

Donald G. Bell
(Signature of new claimant/purchaser)
Donald G. Bell

Personal Representative

☒ ATTORNEY OF RECORD COMPLETING FORM

My name is William T. Goodman

I am the attorney of record for Estate of Katie J. Acock, deceased

(Identify party/claimant)

My address and phone number are P.O. Box D, Rupert, ID 83350 - 436-4774

VERIFICATION

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

State of Washington

County of King

Donald G. Bell, 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.

Donald G. Bell
Signature of person filing form
Donald G. Bell

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on December 29, 1993
(Insert Date)

Sarah A. Chester Sarah A. Chester
Notary Public for Washington
Residing at Seattle
My Commission expires: July 97

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 January 18, 1994, 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:

~~Donald G. Bell~~ Estate of Katie J. Acock, deceased.

c/o Wanda Ballard, Personal Representative

Rt. 2, Box 100, Rupert, ID 83350

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):

Donald G. Bell, Janet Bell and Dennis Lloyd Bell

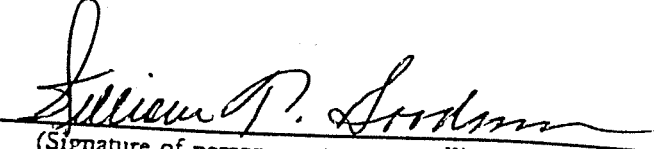
31424-168th Way SE, Auburn, WA 98002

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)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: Nov. 23, 1993

LEGAL DESCRIPTION OF PROPERTY: Township 9 South Range 24, East Boise Meridian
Section 13, SW 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet. (See Attached Deed)

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: 36-11641
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Katie J. Acock, Rt. 4, Rupert, ID 83350
Mrs. Acock deceased on Oct. 14, 1993, sale by her estate.
- ☐ New Owner/Claimant (Purchaser): Donald G. Bell and Janet Bell, husband and wife,
and Dennis Lloyd Bell, a single man
- ☐ New Mailing Address: 31424-168th Way SE
Auburn, WA 98002
- ☐ New Telephone Number: (206) 631 - 3446
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe proof attached: Copy of Recorded Deed of Personal Representative
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Donald G. Bell Date 1-5-94
Date _____

☒ Signature of Former Owner/Claimant(s): Estate of Katie J. Acock, decd Date _____
By: Wanda Bullard PerRep Date 1-18-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made the 8th day of November, 1993, by WANDA BALLARD, Personal Representative of the Estate of Katie J. Acock, deceased, herein called the First Party, Grantor, and DONALD G. BELL and JANET BELL, husband and wife, and DENNIS LLOYD BELL, single man, herein called the Second Party, Grantee, whose present address is 31424 - 168th Way S.E., Auburn, WA 98002,

WITNESSETH:

That the First Party, by virtue of the power and authority to her given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee, and their heirs forever, all of the following described real property located in Minidoka County, Idaho, to-wit:

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13 of Township 9 South, Range 24 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the NW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13 T. 9 S., R. 24 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning; thence North 89°53'38" East along the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1016.08 feet to a $\frac{1}{2}$ " rebar; thence North 89°53'38" East along the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 45.65 feet to a $\frac{1}{2}$ " rebar on the east side of the A-1 Canal; thence South 11°36'52" East along the east side of the A-1 Canal for a distance of 212.57 feet to a $\frac{1}{2}$ " rebar; thence South 89°53'38" West for a distance of 47.65 feet to a $\frac{1}{2}$ " rebar; thence South 89°53'38" West for a distance of 1056.52 feet to a $\frac{1}{2}$ " rebar on section line; thence North 00°05'59" West along section line for a distance of 208.30 feet to the Point of Beginning.

Said property contains 5.18 acres more or less and is subject to a 25 foot wide county road right-of-way along the west side and a right-of-way for the A-1 Canal along the east side.

SUBJECT TO AND RESERVING TO THE GRANTOR an Easement for a buried irrigation pipeline along the West Boundary of the A-1 Canal of the Minidoka Irrigation District over and across the above described tract of land to serve irrigation water to the lands retained by the Grantor in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, with ingress and egress thereto for installation, maintenance and repair.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Katie J. Acock, decedent, had in her lifetime, and

at the time of her decease, and which the First Party has, by virtue of her appointment as Personal Representative of the Estate of Katie J. Acock, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second Party, their heirs and assigns forever.

IN WITNESS WHEREOF the First Party has hereunto set my hand the day and year first above written.

Wanda Ballard
Wanda Ballard
Personal Representative

STATE OF IDAHO)
County of Minidoka) ss.

On this 8th day of November, 1993, before me the undersigned Notary Public in and for said State personally appeared Wanda Ballard, Personal Representative of the Estate of Katie J. Acock, Deceased, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

William T. Gordon
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12/24/98

(SEAL)

409850
RECORDED AT REQUEST OF
Dredman & Ballard
FILM NO. —
DEC 2 12 26 PM '93
MINIDOKA COUNTY, IDAHO
DUANE SMITH
RECORDER
FEE 6- DEPUTY JP

SD-0604-2 Township: 09S			Range: 24E		Section: 13		Tract: SWSW		Lot: 62	
S	L		STATE	O	S	Max #	Records	62		
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-	-
-			A36-11219	WEST, J M	C		J	08/01/1965	43	DOMEST
-				WEST, FLORENCE	C					
-			36-11219	WEST, FLORENCE	C		J	08/01/1965	43	DOMEST
-				WEST, J M	C					
-	SWSW	✓	A36-11641	ACOCK, RUSSELL	C		J	05/30/1978	43	DOMEST
-				ACOCK, KATIE	C				04	STOCK
-	SWSW	✓	A36-11641	ACOCK, RUSSELL	C		J	05/30/1978	43	DOMEST
-				ACOCK, KATIE	C				04	STOCK
-	SWSW	✓	A01-10187Z0	MINIDOKA IRRIGATION DI	C	33	D	03/26/1903	01	IRR
-				FLETCHER, KENT	A					
-	SWSW	✓	36-11641	ACOCK, RUSSELL	C		J	05/30/1978	43	DOMEST
-				ACOCK, KATIE	C				04	STOCK
-	SWSW	✓	36-11641	ACOCK, RUSSELL	C		J	05/30/1978	43	DOMEST
-				ACOCK, KATIE	C				04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)