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DEC 27 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,

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 Bruce Bothwell

My address is P. O. Box #444  
Hagerman, Idaho 83332

My phone number is: Work 208-837-4436 Home 208-837-6402

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

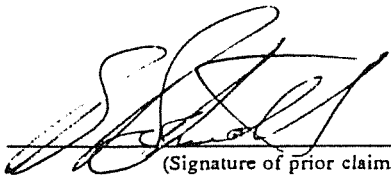
Mark E. Bolduc and/or Christina J. Bolduc  
P. O. Box #117, Hagerman, Idaho 83332

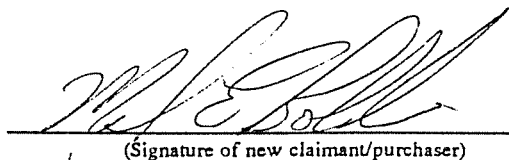
I am the new claimant/purchaser of #A36-00039F *and*  
(Insert each water right number)

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 the recorded Warranty Deed.

Copy of what was recommended by the Department of Water Resources.

  
(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

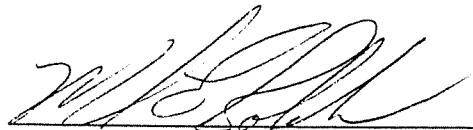
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Gooding

Mark E. Bolduc being first duly sworn, upon oath, deposes and says:  
(Insert name of party/claimant filing form)

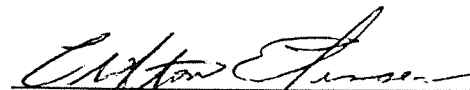
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.



Signature of person filing form

By: \_\_\_\_\_  
Attorney signing in representative capacity

Subscribed and sworn to before me on Dec. 13, 1993  
(Insert Date)



Notary Public for State of Idaho  
Residing at: Hagerman, Idaho  
My Commission expires: 5-10-97

## 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 Dec. 23, 1999, 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:

Hepworth, Nungester & Lezamiz

133 Shoshone Street North, P. O. Box #389

Twin Falls, Idaho 83303-0389

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, in 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

Bruce R. Bothwell and Mary L. Bothwell, husband and wife,  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Mark E. Bolduc and Christina J. Bolduc, husband and wife,  
hereinafter referred to as Grantee, whose current address is

P.O. Box 117, Hagerman, ID 83332  
~~223/WALLACE/LANE/HAGERMAN/ID/83332/~~

the following described premises, to-wit:

Lot 5 in Block 2 of **WILLOW BROOK SUBDIVISION**, Gooding County, Idaho,  
being a part of Parcel "C" of Robert L. Justice Ranch, located in  
part of the Northwest Quarter of the Southeast Quarter of Section 11,  
Township 7 South, Range 13, East of the Boise Meridian, according to  
the plat thereof, recorded August 13, 1979, as Instrument No. 78287,  
in the Office of the County Recorder of said County.

152719

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

26 min. past 3 o'clock P. M. on 18  
of May, 1993 3.00

JOHN A. MYERS Recorder

By Gaila S. Sauer Deputy

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: May 17, 1993

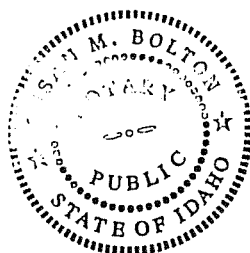
Bruce R. Bothwell  
Bruce R. Bothwell

Mary L. Bothwell  
Mary L. Bothwell

STATE OF IDAHO

COUNTY OF Gooding

On This 17<sup>th</sup> day of May, in the year 1993, before me, a Notary Public  
in and for said State, personally appeared Bruce R. Bothwell and Mary L. Bothwell,  
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.



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

First American Title Company of Idaho

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-2-1992  
PAGE: A-79

RIGHT  
NUMBER

NAME & ADDRESS

PRIORITY  
DATE

PURPOSE OF USE

PERIOD OF USE  
FROM TO

MAXIMUM  
QUANTITY

BASIS OF CLAIM

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

36-00039E

JEAN GLAUNER  
FRANK L GLAUNER  
PO BOX 235  
HAGERMAN ID 83332

01/02/1891 IRRIGATION

03-15 11-15

.03

CFS

DECREED

TOTAL QUANTITY:  
CONSUMPTIVE USE:

.03

CFS

AFY

POINT OF DIVERSION:

TOT7S R13E S11

SESENE

PLACE OF USE: IRRIGATION

TOT7S R13E S14

NESW 1.0

1.0 ACRES TOTAL

REMARKS:

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.  
PROPERTY IS ALSO KNOWN AS LOTS 13-16, BLK 24 HAGERMAN  
TOWNSITE.

36-00039F

BRUCE BOTHWELL  
MARY BOTHWELL  
PO BOX 444  
HAGERMAN ID 83332

01/02/1891 IRRIGATION

03-15 11-15

.03

CFS

DECREED

TOTAL QUANTITY:  
CONSUMPTIVE USE:

.03

CFS

AFY

POINT OF DIVERSION:

TOT7S R13E S11

SESENE

PLACE OF USE: IRRIGATION

TOT7S R13E S11

NWSE 1.0

1.0 ACRES TOTAL

REMARKS:

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.  
PROPERTY IS ALSO KNOWN AS LOT 05, BLK 02, WILLOWBROOK SUBDIV.