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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 Jerome Holding Co., Inc., an Idaho corporation

My address is c/o Spears Manufacturing, 15853 Olden Street, Sylmar CA 91342

My phone number is: Work (818) 364-1611 Home N.A.

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

35 Lake Avenue, A California Limited Partnership, c/o Joel Michael Kantor,

1990 South Bundy Drive, Suite 600, Los Angeles, CA 90025

I am the new claimant/purchaser of A 36-07202 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 from 35 Lake Avenue, A California Limited Partnership, to Jerome Holding Co., Inc., dated 1-25-93 and recorded 8-9-93 as Instrument No. 932915, records of Jerome County, Idaho. Water Right License No. 36-7202 passed as an appurtenance with the land described therein.

35 LAKE AVENUE, A CALIFORNIA LIMITED PARTNERSHIP

By City Star Investments, Inc.

a Calif. corp. as general partner

By David J. Miller
(Signature of prior claimant/seller)

JEROME HOLDING CO., INC.

By K-E. R. [Signature]
(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Thomas A. Miller, Hawley Troxell Ennis & Hawley

I am the attorney of record for Jerome Holding Co., Inc.

(Identify party/claimant)

My address and phone number are P. O. Box 1617, Boise, ID 83701 = OR
877 Main St., Suite 1000, Boise, ID 83702 Tel. (208) 344-6000

VERIFICATION

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

State of Idaho

County of Ada

Thomas A. Miller; being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

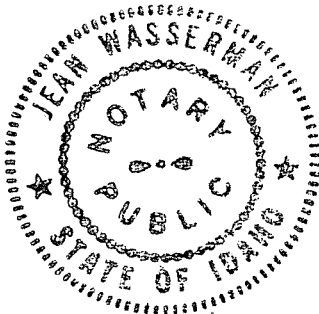
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Jerome Holding Co., Inc.

Signature of person filing form

By: 
Attorney signing in representative capacity
Thomas A. Miller

Subscribed and sworn to before me on January 6, 1994.
(Insert Date)



Jean Wasserman
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 2-17-97

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 //, 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:

35 Lake Avenue, A California Limited Partnership
c/o Joel Michael Kantor
1990 S. Bundy Drive, Suite 600, Los Angeles, CA 90025

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:

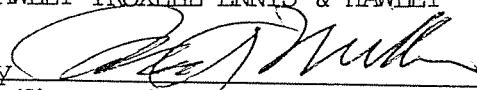
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

HAWLEY TROXELL ENNIS & HAWLEY

By



(Signature of person or attorney mailing the form)
Thomas A. Miller

COPY

1 Recording Requested By and
2 WHEN RECORDED MAIL TO:

3 JEROME HOLDING CO., INC.

4 c/o Joel Michael Kantor, Esq.
5 1990 So. Bundy Drive, #600
6 Los Angeles, California 90025-5291
7 Phone: (310) 442-5308
8 FAX: (310) 207-0210
9

RECORDED AT THE REQUEST
of David L. Farrell, Inc.
Aug. 9 11 46 AM '93
JEROME HOLDING CO., INC.
FEES 9.00 DEP

932915

10 WARRANTY DEED

11 Dated for reference purposes only January 25, 1993

12 FOR VALUE RECEIVED, 35 LAKE AVENUE, a California limited partnership
13 ("Grantor"), does hereby Grant, Bargain, Sell and Convey unto ~~Robert W. Wynn~~
14 ~~Robert W. Wynn, a California limited partnership, the following described real estate, to wit:~~
15 ("Grantee"), the following described real estate, to wit:

16 See "Exhibit "A" attached hereto:
17 (consisting of 2 pages)

18 together with all appurtenances thereto, including but not limited to the
19 pertinent water shares of the North Side Canal Company and the lessor's
20 interest as it relates to the subject property under that certain lease
21 dated July 1, 1989 made between Jerome Land Investment Corp., a California
22 corporation, as lessor, and Spears Manufacturing Co., a California
23 corporation, as lessee.

24 TO HAVE AND TO HOLD The said Property, with their appurtenances unto the
25 said Grantee, and their heirs and assigns forever.

26 IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its partners
27 and of the Board of Directors of its general partner, has caused its name
28 to be hereunto subscribed by its corporate general partner through its
29 President and its corporate seal to be affixed by its Secretary effective
30 as of the date provided below.

31 * JEROME HOLDING CO., INC. *JK*
32 an Idaho corporation
c/o Spears Manufacturing
15853 Olden Street
Sylmar, CA 91342

35 LAKE AVENUE
A California Limited Partnership

33 By: City Star Investments, Inc.
34 A California Corporation
35 as general partner

36 By: *David L. Farrell*
37 David L. Farrell, President

38 STATE OF CALIFORNIA)
39) ss
40 COUNTY OF LOS ANGELES)

41 On 2-11, 1993 before me, Karen Thiers, a
42 Notary Public in and for said State, personally appeared DAVID L. FARRELL,
43 personally known to me (or proved to me on the basis of satisfactory
44 evidence) to be the person whose name is subscribed to the within
45 instrument and acknowledged that he executed the same in his authorized
46 capacity, and that by his signature on the instrument the person, or the
47 entity upon behalf of which the person acted, executed the instrument.

48 WITNESS my hand and official seal. (Seal)
49

50 Signature: Karen Thiers

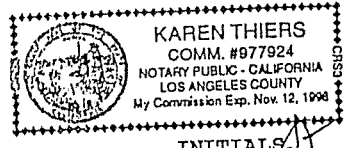


EXHIBIT "A"

PARCEL "A":

A Parcel of land located in Section 30, Township 8 South, Range 17, East Boise Meridian, more particularly described as follows:

Commencing at the Northwest corner of Section 30;
Thence South 0°01' East, 2,240.00 feet along the West boundary of said Section 30, and West boundary also being the centerline of State Highway No. 79;
Thence South 89°49'30" East, 40.00 feet to a point on the East boundary of said Highway No. 79, said point being THE REAL POINT OF BEGINNING;
Thence South 0°01' East, 1,457.95 feet along the said East boundary of Highway No. 79 to a point on the Northerly boundary of the Union Pacific Railroad right of way;
Thence along the said Northerly boundary of the Union Pacific Railroad right of way the following courses and distances:
1,108.61 feet along a curve to the left having a central angle of 7°23'32", a radius of 8,594.42 feet and a long chord of 1,108.00 feet bearing South 47°18'08" East, 49.54 feet on a bearing of South 24°58'56" East, 1,106.60 feet along a curve to the left having a central angle of 7°22'42", a radius of 8,594.42 feet and a long chord of 1,106.00 feet bearing South 54°56'56" East;
Thence North 0°01'26" West, 2,434.09 feet along the North-South centerline of said Section 30, to a point 50 feet South of the center of said Section 30;
Thence North 89°49'30" West, 25 feet along a line parallel to and 50 feet South of the East-West centerline of said Section 30;
Thence North 0°01'26" West, 450.00 feet along the line parallel to and 25 feet West of the North-South centerline of said Section 30 to a point 400 feet North of said East-West centerline;
Thence North 89°49'30" West, 1714.88 feet along a line parallel to and 400 feet North of the East-West centerline of said Section 30 to THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to Idaho Power Company, a corporation, by Warranty Deed dated July 10, 1972, recorded July 27, 1972 in Book 182 Page 3071 as Instrument Number 195469, Jerome County records, more particularly described as follows:

A parcel of land in the NE¼SW¼ of Section 30, Township 8 South, Range 17, East Boise Meridian, described as follows:

Beginning as the West one quarter corner of said Section 30;
Thence South 48°06'50" East, 1077.54 feet to THE REAL POINT OF BEGINNING;
Thence South 89°51' East, 100.00 feet to a point;
Thence South 0°09' West, 150.00 feet to a point;
Thence North 89°51' West, 100.00 feet to a point;
Thence North 0°09' East 150.00 feet to THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM (PARCEL "B") a tract of land located in the W¼ of Section 30, Township 8 South, Range 17, East Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Beginning at the West quarter corner of said Section 30;
Thence South 89°49'47" East a distance of 42.12 feet along the East-West centerline of said Section 30 to the Easterly boundary of Highway No. 79;

1 Thence North 0°01'26" East a distance of 32.55 feet along the Easterly
2 boundary of said Highway No. 79 to THE TRUE POINT OF BEGINNING;
3 Thence North 0°01'26" East a distance of 367.45 feet along the Easterly
4 boundary of said Highway No. 79;
5 Thence South 89°49'47" East a distance of 390.43 feet;
6 Thence South 0°46'17" East a distance of 345.38 feet;
7 Thence South 47°09'55" West a distance of 21.17 feet;
8 Thence South 89°00'38" West a distance of 379.46 feet to THE TRUE
9 POINT OF BEGINNING.

10 AND EXCEPTING THEREFROM (PARCEL "C") a tract of land located in the W½ of
11 Section 30, Township 8 South, Range 17, East Boise Meridian, Jerome County,
12 Idaho, more particularly described as follows:

13 Beginning at the West quarter corner of said Section 30;
14 Thence South 89°49'47" East, a distance of 1779.17 feet to the center
15 quarter corner of said Section 30;
16 Thence South 0°01'40" East, a distance of 50.00 feet along the North-South
17 centerline of said Section 30 to THE TRUE POINT OF BEGINNING;
18 Thence South 0°01'40" East, a distance of 628.63 feet along said centerline
19 of Section 30;
20 Thence South 89°37'27" West, a distance of 567.67 feet;
21 Thence North 71°22'42" West, a distance of 137.20 feet;
22 Thence North 0°15'50" West, a distance of 640.93 feet;
23 Thence South 89°51'27" East, a distance of 675.30 feet;
24 Thence South 0°01'40" East, a distance of 50.63 feet;
25 Thence South 89°49'47" East, a distance of 25.00 feet to THE TRUE POINT OF
26 BEGINNING.