

RECEIVED

FEB 04 1994

Department of Water Resources
Adjudication Bureau

1994 JAN 31 PM 4:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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 Paul L. Borchard and Kathleen P. Borchard
My address is 1511 East 3600 South
Wendell, ID 83355

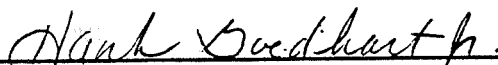
My phone number is: Work 208-536-2271 Home 208-536-6156

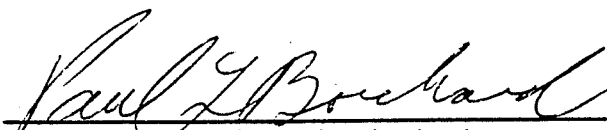
The name and address of the party who I wish to be substituted for are:
Goedhart and Goedhart, a partnership consisting of
Henry O. Goedhart, Jr. and Michael Dean Goedhart

I am the new claimant/purchaser of 36-08387 *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


(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

Paul L. Borchard, 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.

Paul L. Borchard
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on January 31, 1994.
(Insert Date)

Audith A. Dice
Notary Public for IDAHO
Residing at: HAGERMAN, ID
My Commission expires: 4/30/97

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 February 1,, 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:..

Goedhart and Goedhart, a partnership consisting of
Henry O. Goedhart, Jr. and Michael Dean Goedhart
1548 East 3600 South, Wendell, ID 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):

4. One copy to:

Chief, Natural Resources Division

Office of the Attorney General

State of Idaho

P. O. Box 44449

Boise, Idaho 83711-4449

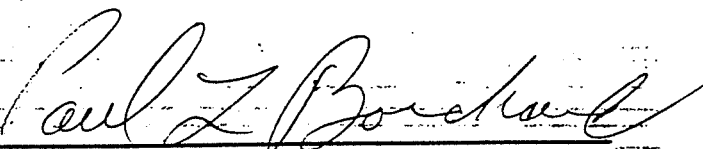
5. One copy to:

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

Goedhart & Goedhart, a partnership consisting of Henry O. Goedhart, Jr. and Michael Dean Goedhart,

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

Paul L. Borchard and Kathleen P. Borchard, husband and wife,

hereinafter referred to as Grantee, whose current address is

1511 East 3600 South, Wendell, Idaho 83352

the following described premises, to-wit:

The Southeast quarter of Section 10, Township 8 South, Range 14 East of the Boise Meridian, County of Gooding, State of Idaho.

EXCEPTING THEREFROM that portion deeded for Highway purposes according to Deed recorded in Book 35, Page 471, records of Gooding County, Idaho.

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

155181 16 min. past 4 o'clock P m. this 22 of Dec, 1993 3.00

JOHN A. MYERS Recorder

By C. L. Sides 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.

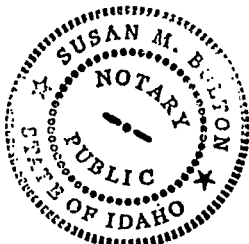
Dated: December 22, 1993.

Henry O. Goedhart Jr.
Henry O. Goedhart, Jr., Partner

Michael Dean Goedhart
Michael Dean Goedhart, Partner

STATE OF IDAHO)
: SS
COUNTY OF GOODING)

On This 22nd day of December, in the year 1993, before me, a Notary Public in and for said State, personally appeared Henry O. Goedhart, Jr. and Michael Dean Goedhart, known or identified to me to be the partners in the partnership of Goedhart and Goedhart, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.



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

First American Title Company of Idaho