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FEB 03 1994

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.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

Case No. 39576

STANDARD FORM 3

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

CONSENT TO SUBSTITUTION OF
PARTY

39576
[34-02331]/
94-02-0038

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 D. Mullenix

My address is PO Box 610
Moore Id 83255

My phone number is: Work 526-4684 Home 554-2406

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

I am the new claimant/purchaser of #34-02331 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.

1) New Property Owner - Notice of Change of Water Right
Ownership
2) Warranty Deed

(Signature of prior claimant/seller)

Paul D. Mullenix
(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

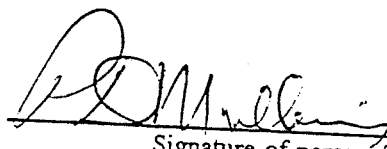
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

County of Butte

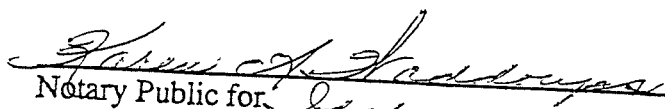
Paul D. Mullenix, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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 Jan 25, 1994
(Insert Date)


Notary Public for _____
Residing at: Moose, Id.
My Commission expires: 9-1-99

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 25, 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:

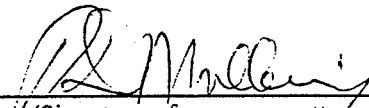
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

Paul D. & Rosemarie
Mullenix
P.O. Box 610
Moore, Idaho 83255

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

RE: Form 3, Snake River Basin Adjudication, Notice Change of
Ownership of Water Right

Dear Sirs:

This is in regards to change of ownership of water right A34-
02331.

Property and water right on the property was purchased on January
12, 1993. Notice of Change of Water Right Ownership was filed to
the Idaho Department of Water Resources (IDWR) on February 10,
1993.

Form 3 is completed and enclosed. A problem is that the previous
owner's signatures are not available. Since closing on the
property, the previous owners are separated and possibly divorced.
Her whereabouts are unknown and he hasn't cooperated to sign any
papers. The Form 3 wasn't made available until approximately 9
months after the closing on the property.

A copy of IDWR Notice of Change of Water Right Ownership and a
copy of the property Warranty Deed are enclosed with the Form 3
for consideration by the Snake River Basin Adjudication. Please
advise, thank you.

Sincerely,



Paul D. Mullenix



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1-15-93

LEGAL DESCRIPTION OF PROPERTY: Township 5 North Range 26 E.B.M.
Section 22, E 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.

☐ 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: A34-02331

☐ Name and Address of Former Owner/Claimant(s)(Seller): Cary E. + Debra A. Scanton
PO Box 411

Arco ID 83213

☐ New Owner/Claimant (Purchaser): Paul + Rosemarie Muller

☐ New Mailing Address: PO Box 610
Moore ID 60 83255

☐ New Telephone Number: (208) 554-2406

☐ 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:
NA

☐ Attach proof of ownership, describe proof attached: Copy of Warranty Deed

(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): Paul D Muller Date 2/10/93
Rosemarie Muller Date 2/10/93

☐ Signature of Former Owner/Claimant(s): Date
 Date

(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

WARRANTY DEED

For Value Received CARY EUGENE SCOUTEN, also known as CARY E. SCOUTEN and DEBRA ANN SCOUTEN, also known as DEBRA A. SCOUTEN and as DEBBIE A. SCOUTEN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PAUL D. MULLENIX and ROSEMARIE MULLENIX, husband and wife

whose address is: P.O. Box 610, Arco, Idaho 83255

Hereinafter called the Grantee, the following described premises situated in BUTTE County, Idaho, to-wit:

TRACT A:

A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 5 North, Range 26 E.B.M., Butte County, Idaho, described as:

Beginning at the SE corner of the SW $\frac{1}{4}$ of said Section 22, and running thence W. 150 feet; thence N. 250 feet; thence E. 150 feet; thence S. 250 feet to the point of beginning.

TRACT B:

Township 5 North, Range 26 E.B.M., Butte County, Idaho

Section 22: E $\frac{1}{2}$ SW $\frac{1}{4}$ EXCEPTING THEREFROM Beginning at the SE corner of the SW $\frac{1}{4}$ of said Section 22, and running thence W. 150 feet; thence N. 250 feet; thence E. 150 feet; thence S. 250 feet to the point of beginning.

NO.

026554

FILED

JAN 19 1993

A.M. 1:36 P.M.

BUTTE COUNTY RECORDER

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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: JANUARY 12, 1993

X Cary Eugene Scouten Cary E. Scouten
CARY EUGENE SCOUTEN, also known as CARY E. SCOUTEN
X Debra Ann Scouten Debra A. Scouten
DEBRA ANN SCOUTEN, also known as DEBRA A. SCOUTEN and as DEBBIE A. SCOUTEN

STATE OF IDAHO)

COUNTY OF BUTTE)

SS

On this 12 day of JANUARY, in the year 1993, before me, a Notary Public in and for said State, personally appeared CARY EUGENE SCOUTEN, also known as CARY E. SCOUTEN and DEBRA ANN SCOUTEN, also known as DEBRA A. SCOUTEN and as DEBBIE A. SCOUTEN, known or identified to me to be the person(s) whose name(s) (is/are) subscribed to the within Instrument, and acknowledged to me that (he/she/they) executed the same.

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

X Rodney L. Hansen
Notary Public for: IDAHO
Residing at: Arco, Idaho
Commission Expires: 2-27-97