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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.

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,

39576
[36-07319
36-07454]/
94-02-0050

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**

Goedhart and Goedhart, a partnership consisting of
My name is Henry O. Goedhart, Jr. and Michael Dean Goedhart
My address is 1548 East 3600 South
Wendell, ID 83355

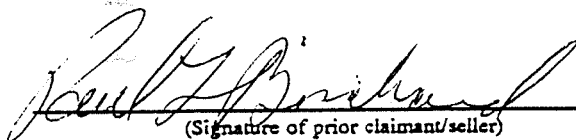
My phone number is: Work 208-536-2178 Home 536-6281
536-6766

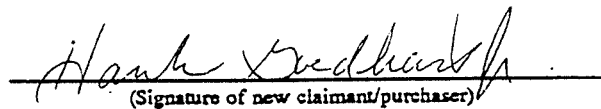
The name and address of the party who I wish to be substituted for are:
Paul L. Borchard and Kathleen P. Borchard
1511 East 3600 South, Wendell, ID 83355

I am the new claimant/purchaser of 36-7319 and 36-7454 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

Henry O. Goedhart, Jr., 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.

Hank Goedhart Jr.
Signature of person filing form

By: _____
Attorney signing in representative capacity

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

Judith 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:..

Paul L. Borchard and Kathleen P. Borchard

1511 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

Hank Doedbart

(Signature of person or attorney mailing the form)



WARRANTY DEED

For Value Received

Paul L. Borchard and Kathleen P. Borchard, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
Goedhart and Goedhart, an Idaho partnership consisting of Henry O. Goedhart, Jr. and
Michael Dean Goedhart

hereinafter referred to as Grantee, whose current address is

1548 East 3600 South, Wendell, ID 83352

the following described premises, to-wit:

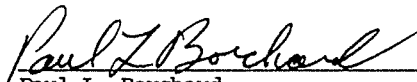
See Exhibit A attached hereto and made a part hereof.

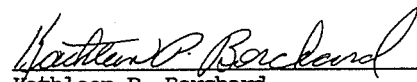
TOGETHER with 136.82 shares of North Side Canal Company water

TOGETHER WITH Water Right Number 36-7319 and 36-7454 through the
Idaho Department of Water Resources.

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.

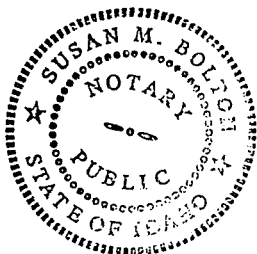
Dated: December 22, 1993.

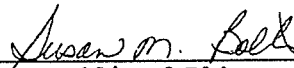

Paul L. Borchard


Kathleen P. Borchard

STATE OF IDAHO)
: SS
COUNTY OF GOODING)

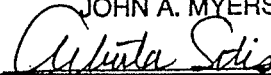
On This 22nd day of December, in the year 1993, before me, a Notary Public
in and for said State, personally appeared Paul L. Borchard and Kathleen P. Borchard,
known or identified to me to be the person(s) whose name(s) are subscribed to the
within Instrument, and acknowledged to me that they executed the same.




Notary Public of Idaho
Residing at Gooding, Idaho
Commission Expires: 10-16-98
STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE
11 min. past 4 o'clock P m. this 22
of Dec, 1993 6.0 155177

JOHN A. MYERS Recorder

By  Deputy

First American Title Company of Idaho

EXHIBIT A

PARCEL I:

Lots 3 and 4 of Section 2, Township 9 South, Range 14 East of the Boise Meridian, County of Gooding, State of Idaho.

EXCEPTING THEREFROM the following described land:

BEGINNING at the Northwest corner of said Section 2;
Thence South 89° 45' East, 579.78 feet to the TRUE POINT
OF BEGINNING;
Thence South 89° 45' East, 228.21 feet to a point;
Thence South 0° 15' West, 210 feet to a point;
Thence North 89° 45' West, 187.77 feet to a point;
Thence North 10° 39' West, 213.86 feet to the TRUE POINT
OF BEGINNING.

PARCEL II:

The South One-half of the Northwest Quarter; and the Southwest Quarter of the Northeast Quarter of Section 2, Township 9 South, Range 14 East of the Boise Meridian, County of Gooding, State of Idaho.

EXCEPTING THEREFROM the following described land:

BEGINNING at the Northeast corner of said Section 2;
Thence South 0° 12' West, 1970 feet to a point;
Thence South 81° 47' West, 1336 feet to a point;
Thence South 0° 12' West, 110 feet to a point, being the
TRUE POINT OF BEGINNING;
Thence South 84° 12' West, 550 feet to a point;
Thence South 326.8 feet to a point on the South line of said
Southwest Quarter of the Northeast Quarter of said
Section 2;
Thence East along said South line 547 feet more or less to
the Southeast corner of said Southwest Quarter of the
Northeast Quarter;
Thence North 382.4 feet more or less to the TRUE POINT OF
BEGINNING.