

2-22

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FEB 22 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
[36-13599]/
94-02-0054

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 GLENN E OR DENISE FASSETT

My address is 1205 N. MERIDIAN R13 BOX 285
REPORT ID 83350

My phone number is: Work (208) 532-4503 Home (208) 532-4147

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

MAHEL LOTT
RT 1 2233 KYRO ST. HOYHURN ID 83336

I am the new claimant/purchaser of A 36-13599 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.

DOCUMENTS include: WARRANTY Deed, Legal
DESCRIPTION, New property owner NOTICE OF change
of water right ownership from IDWR AND IDWR
Adjudication claim profile report

Mahel Lott
(Signature of prior claimant/seller)

Glenn E. Fassett
(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

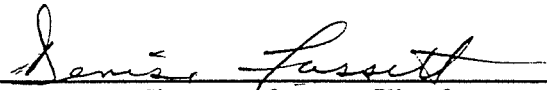
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of MINIDOKA

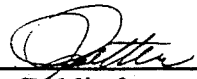
DENISE FASSETT, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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: N/A
Attorney signing in representative capacity

Subscribed and sworn to before me on 2-16-94.
(Insert Date)


Notary Public for Idaho
Residing at: Kuparuk, Idaho
My Commission expires: 6-8-98

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 2-18, 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:

MADEL LOTT
RT 1 2233 KYRO STREET
HEYBURN ID 83336

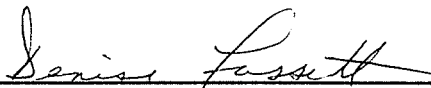
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

410458

FURNISHED BY Land Title and Escrow, Inc.

#9543

WARRANTY DEED

For Value Received

MABEL LOTT, a widow

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

GLENN E. FASSETT and DENISE FASSETT, husband and wife
whose current address is: Route 3 Box 285
Rupert, Idaho 83350Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho,
to-wit:

(SEE EXHIBIT "A" ATTACHED)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 10, 1994

Mabel Lott
MABEL LOTT

STATE OF IDAHO, COUNTY OF MINIDOKA, ss
On this 10th day of January, 1994,
before me, a notary public in and for said State, personally appeared

MABEL LOTT

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Steve B. Porch
Notary Public

Residing at Rupert 5/1/99, Idaho.
Commission expires:

STEVE B. PORCH
★ NOTARY PUBLIC ★
STATE OF IDAHO

RECORDING AT RUPERT, ID
MY COMMISSION EXPIRES

6/6/95

FEE

6- DEPUTY
JF

REORDER

MINIDOKA COUNTY, IDAHO

JAN 10 2 38 PM '94

FILM NO.

RECORDED AT REQUEST OF

Land Title-Rupert

410458

No.: 9543

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 29: That part of the NE~~1~~/~~4~~NE~~1~~/~~4~~, more particularly
described as follows:

Beginning at the Northeast corner of said Section 29,
which point shall be known as the TRUE POINT OF
BEGINNING;
Thence West along the North section line for 330 feet;
Thence South for 130 feet;
Thence East for 330 feet to a point on the East section
line of said Section 29;
Thence North along said East section line for 130 feet to
the TRUE POINT OF BEGINNING.

TRACT NO. 2:

SECTION 29: That part of the NE~~1~~/~~4~~NE~~1~~/~~4~~, more particularly
described as follows:

Beginning at the Northeast corner of said Section 29;
thence West along the North section line of said Section
29 for 330 feet to a point, which point shall be known as
the TRUE POINT OF BEGINNING;
Thence South for 130 feet;
Thence West for 130 feet;
Thence North for 130 feet to a point on the North section
line of said Section 29;
Thence East along said North section line for 130 feet to
the TRUE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches or ditch
rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1994 and subsequent years.

Assessments of the A & B Irrigation District and the rights
and powers of said District as by law provided.

A 30 foot wide road easement along the North, East and South
boundaries of the herein described real property, as contained
in Quitclaim Deed, dated January 11, 1989, executed by Samuel
D. Sanderson and Shirley A. Sanderson, husband and wife, to
Mabel Lott, a widow, recorded February 22, 1989 as Document
No. 383875, Minidoka County records.

(Affects Tract No. 2 only.)

ML



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JAN 28 1994

Department of Water Resources
Southern Region OfficeDATE OF CLOSING: 1-10-94

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 24 E
 Section 29, NE 1/4 of NE 1/4 of NE 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: A36-13599
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
MADEL LOTT
Rt 1 2233 KYRO ST.
Hayden ID 83336
- ☐ New Owner/Claimant (Purchaser):
GLENN E. OR DENISE FASSETT
- ☐ New Mailing Address:
RR3 Box 285
Rupert ID 83350
- ☐ New Telephone Number: (208) 532-4147
- ☐ 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:

- ☐ Attach proof of ownership, describe proof attached: ATTACHED - WARRANTY DEED + LEGAL DESCRIPTION
 (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): Glenn E. Fassett Date 1-10-94
- ☐ Signature of Former Owner/Claimant(s): * Madel Lott Date 1/10/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2/1/94 By: JS

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GIENN E FASSETT RR 3 BOX 285 RUPERT ID 83350 (208) 532-4147	04/15/1956	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	5.90 AFA 1.80 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					0.04 CFS	7.70 AFA 4.70 AFA

Stage: BENEFICIAL USE

MINIDOKA County

SE

[illegible]

Presumption Flag: