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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
[36-15036]/
94-02-0055

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 Vicki & Michael Berg

My address is 120 W. 550 S., Jerome, ID 83338

My phone number is: Work 737-2500 Home 324-8741

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

Barbara K. & William C. Marlatt

120 W. ⁵⁵⁰560 S., Jerome, ID 83338

I am the new claimant/purchaser of 36-15036 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. Warranty Deed dated September 28, 1993

2. Jerome County Clerk's Note dated December 6, 1993

Barbara K. Marlatt / William C. Marlatt
(Signature of prior claimant/seller)

Vicki Berg / Michael Berg
(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 Jerome

Vicki Berg & Michael Berg, 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.

✓ Vicki Berg Michael Berg
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on January 24, 1994
(Insert Date)

✓ Marilyn Di Maggio
Notary Public for Idaho
Residing at: Twin Falls, Id.
My Commission expires: 9-15-99

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:

William C. & Barbara K. Marlatt
205 S. Valley Drive
Nampa, Idaho 83686

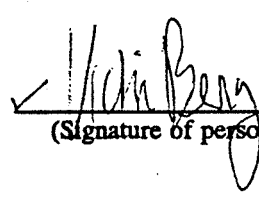
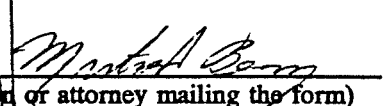
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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 83724

 
(Signature of person or attorney mailing the form)

To Whom it May Concern:

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JEROME COUNTY ASSESSOR

P.O. Box 447
Jerome, Idaho 83338
(208) 324-7507

Subject _____

MESSAGE

Mr. Michael Berg is the owner of record of
the following described:

Lot 10 Block 2 Canyon Side Estates

This lot is in T9 R16 Sec 14

in the SE⁴ NE⁴.

(Jerome Co. Assessor)
Deed/Plat Clerk

Date

12-6-93

Signed

Sandra J. Meyer

933618

RECORD REQUEST
FIRST AMERICAN TITLE COMPANY

SEP 28 3 54 PM '93

JEROME

IDAHO

FEES \$3.00

J001961 E10133LV

WARRANTY DEED

For Value Received WILLIAM C. MARLATT and BARBARA K. MARLATT, HUSBAND AND WIFE

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

MICHAEL S. BERG and VICKI L. BERG, HUSBAND AND WIFE

whose address is: 120 WEST 550 SOUTH
JEROME ID 83338

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

Lot 10 in Block 2 of CANYON SIDE ESTATES, Jerome County, Idaho according to the plat thereof, recorded in the office of the County Recorder of said County.

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: September 28, 1993

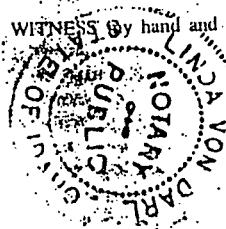
William C. Marlatt
WILLIAM C. MARLATT

Barbara K. Marlatt
BARBARA K. MARLATT

STATE OF IDAHO)
: ss
COUNTY OF Twin Falls)

On this 28th day of September, in the year 1993, before me, a Notary Public in and for said State, personally appeared William C. Marlatt and Barbara K. Marlatt, 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.

WITNESS by hand and official seal.



John Van Dael
Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires: 10/30/95