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APR 13 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.

36-11715

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.

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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.

~~CHANGED IN ERROR, see "CONSENT TO SUBSTITUTION OF PARTY"~~

~~CHANGE IN ADDRESS~~

~~My name is RUTH B. HAWK~~

~~I am the claimant of 36-11715~~
(Insert each water right number)

~~I have filed an objection/response to the following water right(s) 36-11715~~
(Insert each water right number)

~~My new mailing address is 823 6th Street
RUPERT, IDAHO 83350~~

~~My phone number is: Work N/A Home (208) 436-6382~~

☒ CONSENT TO SUBSTITUTION OF PARTY

My name is Richard P & Kelyn A Miller
My address is 100W. 137 S. Rupert ID 83350

My phone number is: Work _____ Home 436 3653

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

~~SAME AS ABOVE~~ Ruth B. Hawk
823 6th st Rupert, ID. 83350

I am the new claimant/purchaser of 36-11715 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.

NOTICE OF WATER RIGHT
COPY OF DEED

Ruth B. Hawk
(Signature of prior claimant/seller)

Richard P & Kelyn A Miller
(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

RICHARD MILLER, 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.

Richard Miller
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on APRIL 5, 1994
(Insert Date)

Duane Smith
Notary Public for MINIDOKA COUNTY
Residing at: Rupert ID.
My Commission expires: JAN. 10, 1996

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 11 APRIL, 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:

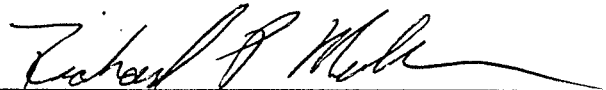
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

Loan # 8-073092-2

[Space Above this Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is given on AUGUST 19, 1993. The grantor is Richard P. Miller and Ralyn A. Miller ("Borrower"). This trustee is Titlefact, Inc., An Idaho Corporation

("Trustee"). The beneficiary is First Federal Savings Bank Burley office

which is organized and existing under the laws of the State of Idaho

and whose address is 2059 Overland Avenue, Burley, ID 83318

("Lender"). Borrower owes Lender the principal sum of THIRTY-FOUR THOUSAND NINE HUNDRED SIXTY AND NO/100 (U.S. \$ 34,960.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on SEPTEMBER 1, 2008. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in Minidoka County, Idaho:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO. SECTION 31: Part of the SE1/4 NE1/4, more particularly described as follows: Beginning at the Northeast corner of said SE1/4 NE1/4 of said Section 31, said corner marked by a 1/2 inch rebar; thence South 00 deg. 04'00" East along section line for 275.24 feet to a 1/2 inch rebar which shall be the POINT OF BEGINNING; thence South 00 deg. 04'00" East along section line for 151.46 feet to a 1/2 inch rebar; thence North 87 deg. 09'10" West for 287.60 feet to a 1/2 inch rebar; thence North 00 deg. 04'00" West for 151.46 feet to a 1/2 inch rebar; thence South 87 deg. 09'10" East for 287.60 feet to the POINT OF BEGINNING.

which has the address of 100 West 137 South,
[Street]

Rupert, [City]

Idaho 83350 ("Property Address");
[Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

THIS IS A COPY OF YOUR WATER RIGHT AS IDWR PROPOSES TO RECOMMEND IT TO THE DISTRICT COURT*

*THIS IS NOT A FINAL DETERMINATION OF YOUR CLAIM. YOU MUST FILE A NOTICE OF ERROR WITH IDWR IF YOU DISAGREE WITH THE PROPOSED RECOMMENDATION.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
36-11715	LINDA H KURSEN. PO BOX 93 PAUL ID 83347	03/20/1946	DOMESTIC	01-01 12-31	0.04 CFS	BENEFICIAL USE

RUTH 3 HAWK
RT 2 BOX 67
RUPERT ID 83350

NON-IRRIGATION USES:

DOMESTIC 1 HOUSE

871 H00824

SOURCE: GROUNDWATER
POINT OF DIVERSION:

T09S R24E S31

NESENE

PLACE OF USE: DOMESTIC

T09S R24E S31

SENE

REMARKS: PARCEL NO. RP 09S24E31820.

TOTAL QUANTITY:

0.04 CFS

36-11715-1000