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36-15135
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AUG 04 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,

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.

☒ CHANGE IN ADDRESS

My name is Rietheek Family Trust, Ray & Cora Rietheek, Trustees

I am the claimant of A36-15135

(Insert each water right number)

I have filed an objection/response to the following water right(s) A36-15135

(Insert each water right number)

My new mailing address is 269 E. 21st St.

Upeland, CA 91784-1494

My phone number is: Work Home (909) 985-3080

the court did not accept sub of party, only change of address. II

☒ CONSENT TO SUBSTITUTION OF PARTY

My name is Rietkerk Family Trust, Ray & Cora Rietkerk, Trustee

My address is 269 E. 21st St.

Upland, CA 91784-1494

My phone number is: Work Home (909) 985-3080

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

I am the new claimant/purchaser of 1736-15135 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.

Edward F. Kaester
(Signature of prior claimant/seller)

Ray Rietkerk & Cora Rietkerk
(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 CALIF.

County of SAN BERNARDINO

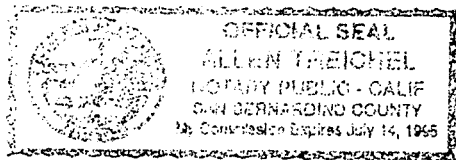
CORA RIETBERK, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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.

Cora Rietherk
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 7-30-94
(Insert Date)



Allen Treichel
Notary Public for CALIF.
Residing at: 155 E "C" St Upland, CA
My Commission expires: 7-14-95

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 July 27, 1999, 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):

Ray & Kara Dietrich
269 E. 21st St.
Upland, CA 91784-1494

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

Ed Koester
2526 Eastgate Dr.
Twin Falls, ID 83301

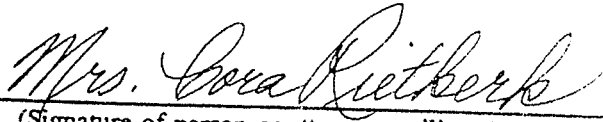
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

Exhibit "A"

Lots 1, 2 and 3 in Section 4, Township 6 South, Range 8 East, Boise Meridian, Elmore County, Idaho; SAVING AND EXCEPTING the following two tracts of land:

A tract of land in Lot 1, Section 4, Township 6 South, Range 8 East, Boise Meridian, Elmore County, Idaho, also being the vacated Block 25 of Fruitland Subdivision, more particularly described as follows:

Beginning at the Section corner common to Sections 3 and 4, Township 6 South, Range 8 East, Boise Meridian, and Sections 33 and 34, Township 5 South, Range 8 East, Boise Meridian; thence South 0°32' East 25 feet to an iron pin, the True Point of Beginning; thence North 89°53' West along South right of way line of State Highway No. 78, 655 feet to an iron pin; thence South 0°32' East 570.5 feet to an iron pin; thence South 89°53' East 655 feet to an iron pin on the East boundary line of Section 4; thence North 0°32' West 570.5 feet to the point of beginning.

AND

A tract of land in Lot 1, Section 4, Township 6 South, Range 8 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Beginning at the NE corner of Lot 1 of Section 4, Township 6 South, Range 8 East, B.M., said corner marked by a 5/8" rebar; thence South 0°22'00" West (South 0°32' East rec.) along section line for 595.50 feet to a 1/2" rebar which shall be the Point of Beginning; thence South 0°22'00" West along section line for 505.63 feet to a 1/2" rebar; thence North 89°56'02" West for 646.12 feet to a 1/2" rebar; thence North 0°22'00" East for 505.63 feet to a 5/8" rebar; thence South 89°56'02" East (South 89°53' East rec.) for 646.12 feet (655' rec.) to the Point of Beginning.



WARRANTY DEED

For Value Received

David Michael McCarthy and Lynn C. McCarthy, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey
PURSUANT TO IRC SECTION 1031 TAX DEFERRED EXCHANGES, unto

Greg Mellum and Nancy Mellum, husband and wife,

hereinafter referred to as Grantee, whose current address is

271 North Burke, Camano Island, WA 98292

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

ELMORE COUNTY, IDAHO, ss
Request of
FIRST AMERICAN

Time 4:25 P.M.

Date July 8/1994

Book

281682

Page DOLores McRIBSON

By Mark L. Decker

Deputy

Fee \$6.00

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: July 6, 1994.

David Michael McCarthy

David Michael McCarthy

Lynn C. McCarthy

Lynn C. McCarthy

STATE OF IDAHO
COUNTY OF Blaine
PUBLIC CLERK

On this 6th day of July, in the year 1994, before me, a Notary Public in and for said State, personally appeared David Michael McCarthy and Lynn C. McCarthy, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Susan K. Petre

Notary Public for Idaho

Residing at Orofino, Idaho

Commission Expires: 7-20-94

First American Title Company of Idaho