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AUG 16 1994

Department of Water Resources
Adjudication Bureau

8-12

36-55W

PO 5-21-13

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.

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 Sal J. Mucario

My address is P. O. Box #669
Hagerman, Idaho 83332

My phone number is: Work _____ Home 208-837-4776

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

Jack M. Martin & Lillias P. Martin
1012 Gridley Drive, Hagerman, Idaho 83332

I am the new claimant/purchaser of A36-00055W 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.

Copy of the recorded Warranty Deed and a copy of the water right as
recommended to the court by the Idaho Department of Water Resources.

Jack M. Martin
(Signature of prior claimant/seller)

Sal J. Mucario
(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

Sal J. Mucario, 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.

Sal J. Mucario
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on August 8, 1994.
(Insert Date)

Clifford Jensen
Notary Public for State of Idaho
Residing at: Hagerman, Idaho
My Commission expires: 5-10-97

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 August 11,, 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:

Jack M. Martin & Lillias P. Martin
1012 Gridley Drive
Hagerman, Idaho 83332

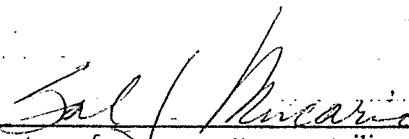
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

- ✓ 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)

SPECIAL WARRANTY DEED

Special Warranty deed made this 5th day of July, 1994, between 1031 Exchange, Inc. a Wyoming corporation of the County of Teton, State of Wyoming, hereinafter referred to as GRANTOR, and Sal J. Mucario, a single man of P. O. Box CC, Jackson, Wyoming 83001, hereinafter referred to as GRANTEE:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, and pursuant to an I. R. C. § 1031 tax deferred exchange, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the County of Gooding, State of Idaho:

Lot 24 of GRIDLEY ISLAND SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded February 12, 1968 in the Office of the County Recorder of said County.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to such property, the reversion and reversions, remainder and remainders, rents, issues, and profits of such property; and all estate, right, title, and interest in and to such property, as well in law as in equity.

SUBJECT TO all covenants, conditions, easements, reservations, rights and rights-of-way of sight and/or record.

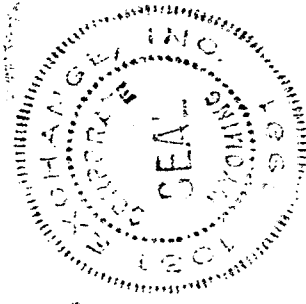
To have and to hold, all and singular the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

Grantor shall and will specially warrant that the title to the aforesaid property is free from defects or encumbrances created or suffered by Grantor and will forever defend the property conveyed by the within deed, and every part thereof, against every person lawfully claiming the same, or any part thereof, by, through, or under Grantor, and no other.

WITNESS my hand this 5th day of July, 1994.

1031 Exchange, Inc.,
a Wyoming corporation:

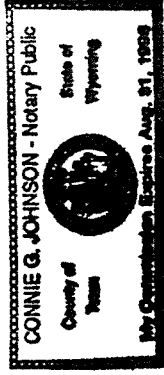
Frank Hess
Frank Hess its President



STATE OF WYOMING)
)
COUNTY OF TETON)

On the 5th day of July, in the year of 1994, before me, the undersigned, a notary public, in and for said State, personally appeared Frank Hess, President of 1031 Exchange, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Connie G. Johnson
Notary Public for: Wyoming
Residing at: Jackson
My Commission Expires: 8/31/94

157786

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

42 min. past 3 o'clock P.m. this 11
of July, 1994 6:00

JOHN A. MYERS Recorder

By Christa Sais Deputy

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-2-1992
PAGE: A-3751

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
36-00055W	LILLIAS P MARTIN JACK M MARTIN 1012 GRIDLEY DR HAGERMAN ID 83332	05/01/1883	IRRIGATION	03-15 11-15	.025	CFS DECREE
	SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER					
	POINT OF DIVERSION: T08S R13E S01 LOT 7 (NENWSE)					
	PLACE OF USE: IRRIGATION					
	T08S R13E S01 Lot 11 (NWSE) 0.5 0.5 ACRES TOTAL					
	REMARKS: PROPERTY IS ALSO KNOWN AS LOT 24, GRIDLEY ISLAND SUBD. USE OF THIS WATER RIGHT WITH RIGHT NO. 02-00218 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.025 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 0.5 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-00055AA, 36-00055AB, 36-00055BB, 36-00055BC, & 36-00055Y.					
	TOTAL QUANTITY: .025 CFS					
36-00055Y	CLAY E CRAWFORD JANE S CRAWFORD 1008 GRIDLEY DR HAGERMAN ID 83332	05/01/1883	IRRIGATION	03-15 11-15	.03	CFS DECREE
	POINT OF DIVERSION: T08S R13E S01 LOT 7 (NENWSE)					
	PLACE OF USE: IRRIGATION					
	T08S R13E S01 Lot 11 (NWSE) 0.6 0.6 ACRES TOTAL					
	REMARKS: PROPERTY IS ALSO KNOWN AS LOT 25, GRIDLEY ISLAND SUBD. USE OF THIS RIGHT WITH RIGHT NO. 02-00219 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 0.6 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-00055AA, 36-00055AB, 36-00055BB, 36-00055BC, & 36-00055W.					
	TOTAL QUANTITY: .03 CFS					