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Department of Water Resources
Adjudication Bureau

11-16
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OFFICE OF THE
ATTORNEY GENERAL

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 John Reitsma and Susan Reitsma

My address is 75 North 400 West, Jerome, ID 83338

My phone number is: Work 324-4536 Home 324-3366

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

Michael G. Sabala

1819 East 1550 South

Gooding, ID 83330

I am the new claimant/purchaser of A36-07508B 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 Warranty Deed

Michael G. Sabala

(Signature of prior claimant/seller)

Michael G. Sabala

John Reitsma

(Signature of new claimant/purchaser)

John Reitsma

☐ **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

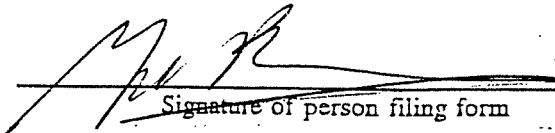
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

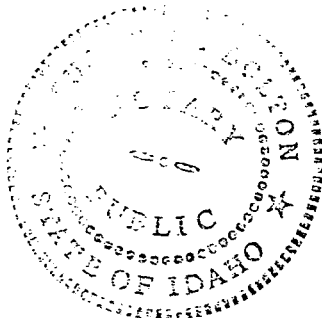
John Reitsma, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on October 31, 1994
(Insert Date)




Notary Public for Idaho
Residing at: Gooding
My Commission expires: 10-16-98

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 _____, 199____, 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:

Michael G. Sabala

1819 East 1550 South

Gooding, ID 83330

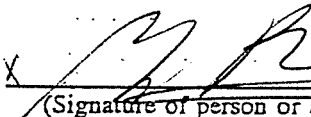
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

- ✓ 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

X 
(Signature of person or attorney mailing the form)

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 11/1/94

LEGAL DESCRIPTION OF PROPERTY: Township 8 South Range 15 EBM
Section 17, NE 1/4 of 1/4 of 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: A36-07508B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Michael G. Sabala
1819 East 1550 South
Gooding, ID 83330
- ☐ New Owner/Claimant (Purchaser):
John Reitsma
- ☐ New Mailing Address:
75 North 400 West
Jerome, ID 83338
- ☐ New Telephone Number: (208) 324 - 3366
- ☐ 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: Warranty Deed
(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) [Signature] Date 11-2-94
Date _____
- ☐ Signature of Former Owner/Claimant(s) Michael G. Sabala Date _____
Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
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



WARRANTY DEED

For Value Received

M & M Farms, a general partnership
consisting of Michael G. Sabala and Mark A. Sabala
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

John Reitsma and Susan Reitsma, husband and wife,

hereinafter referred to as Grantee, whose current address is

75 North 400 West, Jerome, ID 83338

the following described premises, to-wit:

Township 8 South, Range 15 East of the Boise Meridian, Gooding
County, Idaho

Section 17: NE1/4

159192

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

46 min. past 2 o'clock p.m. this 6
of Nov 1994 6.00

JOHN A. MYERS Recorder

By Adriana Solis Deputy

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: November 1, 1994.

M & M FARMS

Michael G. Sabala
Michael G. Sabala, Partner
Katherine Sabala
Katherine Sabala

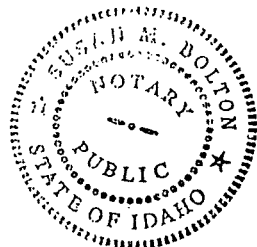
Mark A. Sabala
Mark A. Sabala, Partner
Holly Sabala
Holly Sabala

STATE OF IDAHO)

: SS

COUNTY OF GOODING)

On this 31st day of ~~October~~ ^{November}, in the year 1994, before me, a Notary Public in and for said State, personally appeared Michael G. Sabala and Mark A. Sabala, known or identified to me to be the partners in the partnership of M & M Farm, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.



Susan M. Bolton
Notary Public of Idaho
Residing at Gooding, ID
Commission Expires: 10-16-98



STATE OF IDAHO)

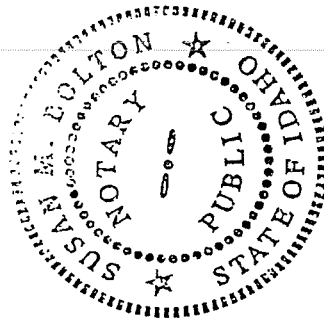
: ss

COUNTY OF GOODING)

On This 1st day of November, in the year 1994, before me, a Notary Public in and for said State, personally appeared Holly Sabala and Korinne Sabala, 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.

Susan M. Bolton

Notary Public of Idaho
Residing at Gooding, ID
Commission Expires: 10-16-98



QUITCLAIM DEED

For value received, MICHAEL G. SABALA, a single man, does hereby convey, release, remise and
^{NE 1/4}
 forever quit claim unto M & M FARMS, INC., a general partnership consisting of Michael G.
 75 North 400 West, Jerome, Idaho 83338
 Sabala and Mark A. Sabala, the following described premises located in Gooding County, Idaho,
 to wit:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN
 GOODING COUNTY, STATE OF IDAHO

Section 17: NE 1/4

Together with appurtenances.

DATED: October 31, 1994

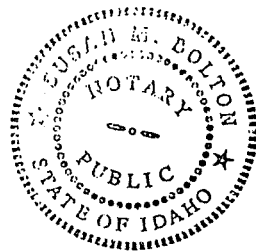
Michael G. Sabala
 Michael G. Sabala

STATE OF IDAHO)
)ss.
 County of Gooding)

On ^{1st} November 1, 1994, before me the undersigned, a notary public in and for said State,
 personally appeared MICHAEL G. SABALA, known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day and year

written.



Susan M. Bolton
 Notary Public of Idaho
 Residing at Gooding ID
 Commission expires 10-11-98

159191
 STATE OF IDAHO COUNTY OF GOODING
 Filed for record at the request of FIRST AMERICAN TITLE
45 min. past 2 o'clock P.m. this 2
 of Nov 1994 3.00
 By John A. Myers Recorder
Christa Sims Deputy