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Department of Water Resources
Adjudication Bureau

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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 SRBA	)	STANDARD FORM 3
	)	(Check Appropriate Box)
	)	☐ NOTICE OF CHANGE IN ADDRESS
Case No. 39576	)	OR
	)	☒ CONSENT TO SUBSTITUTION OF
	)	PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further 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 it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

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 _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), 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 the "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.

I am the new claimant/purchaser of A36-02359
(Insert each water right number)

My name is Henry Farms

My address is 204B South 825 E Jerome, ID 83338

My phone number is: Work _____ Home (208) 324-8035

The name and address of the prior claimant/seller who I wish to be substituted for are:

James & Janet May, 11260 Holster Dr.
Tucson, AZ 85749

X James A. May
Signature of prior claimant/seller

Henry Farms
by Robert F. Henry Pres.
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

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

State of Idaho

County of Jerome

Henry Farms
by Robert F. Henry Pres.
(Insert name of party/claimant filing form)

, being first duly sworn, upon oath, deposes and says:

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) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Robert F. Henry Pres.
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 6-8-95
(Insert Date)

Kelly K. Christensen
Notary Public for ID DEPT WATER RES
Residing at: Kimberly del.
My Commission expires: 3-2-98

INSTRUCTIONS FOR MAILING

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* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

3597 S. E. Bentley
Hillsboro - Oregon 97123

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

WA

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Henry F. Jones
Ref Robert F. Henry

Signature of person or attorney mailing the form

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.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02359
Date Received: 4/13/1990
Receipt No: S012056
Received By: R. V. W.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY FARMS 208-324-8035
Address: 204 S., #B 875 E.
JEROME, ID 83338

2. Date of Priority: SEP 19, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	18E	34		SE	NW		JEROME

5. Description of diverting works:
WELL & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.680		

7. Total Quantity Appropriated is:
3.680 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 864.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	18E	34	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	27.0
			NE	NW		IRR	31.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	18E	34	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SE		IRR	30.0

Section Acres 288.0

Total Acres 288.0

11. Place of use in counties: JEROME

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 27559

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): 2 A36-02359

[] Name and Address of Former Claimant(s): MAY, JAMES A or Janet R.

11260 HOLSTER DR

TUCSON, AZ 85749

[] New Claimant(s): HENRY FARMS

[] New Mailing Address: 204 S. # B 875 E.

JEROME - IDAHO

New Telephone Number: (208) 324-8035

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[X] Attach proof of ownership

Describe proof attached:

(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 claimant.)

[] Signature of New Claimant(s): HENRY FARMS
Robert F. Henry Pres.

Date: 11-26-90

WARRANTY DEED

For Value Received, James A. May and Janet R. May, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto Henry Farms, A general partnership, hereinafter called the grantee, the following described premises in Jerome County, Idaho.

See attached Exhibit A to Warranty Deed

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's, their 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 they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Grantee's address 210 B South, 875 East, Jerome, ID 83338 .

DATED THIS 28th day of August, 1990

James A. May
James A. May

Janet R. May
Janet R. May

STATE OF ARIZONA County of Pima

On this 28th day of August, 1990
before me a Notary Public for said
state personally appeared:

James A. May and Janet R. May

known to me to be the person(s) whose
names is/are subscribed to the within
instrument, and acknowledged to me
that they executed the same.

Michelle A. Bailey
Notary Public for Arizona
Residing at Mesa, AZ
Commission Expires: 10/10/92

STATE OF IDAHO, County of Jerome

I hereby certify that this
instrument was filed for record at
the request of _____

at _____ minutes past _____
o'clock ____ .m., this _____ day of _____,
19____, in my
office, and duly recorded in Book
_____ of Deeds at Page _____

Ex-Officio Recorder

by _____
Fees: \$ _____

Mail To: _____

RECEIVED
of Land Title & Escrow, Inc.
SEP 4 2 01 PM '90
JEROME CO. IDAHO
FEES 9.00 SEP 4 1990

322291

EXHIBIT A

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 34: NE~~x~~; E~~x~~NW~~x~~; NW~~x~~NW~~x~~; NW~~x~~SE~~x~~; NE~~x~~SW~~x~~; —

EXCEPT the following parcel of land located in the
NE~~x~~NW~~x~~, described as follows:

Commencing at the North Quarter corner of said
Section 34;

Thence North 89°52'03" West, 599.79 feet along the
North boundary of said Section 34;

Thence South 32°25'48" West, 360.94 feet;

Thence South 28°04'20" West, 748.52 feet;

Thence South 64°39'05" East, 304.80 feet;

Thence North 81°11'38" East, 539.41 feet;

Thence South 0°08'17" East, 62.00 feet;

Thence South 89°51'38" East, 339.53 feet to the
East boundary of the said NE~~x~~NW~~x~~ of Section
34;

Thence North 0°08'17" West, 1,074.46 feet along the
East boundary of said NE~~x~~NW~~x~~ of Section 34
to THE POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 34: SW~~x~~SE~~x~~;

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: Lots 2, 3, and 4; SE~~x~~NW~~x~~;

Section 4: Lot 1;

Parcel No. 3:

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3 and 4: A tract of land lying in the SW~~x~~NW~~x~~ and
NW~~x~~SW~~x~~ of Section 3 and Lot 2; S~~x~~NE~~x~~;
NE~~x~~SE~~x~~ of Section 4, more particularly
described as follows:

C o n t i n u e d

Commencing at the Northeast corner of the SW~~1~~4NW~~1~~4 of Section 3, which is THE POINT OF BEGINNING;
Thence running Westerly along the South boundary of the NW~~1~~4NW~~1~~4 Section 3 and the Lot 1, Section 4, to the Southwest corner of said Lot 1;
Thence running Northerly on the West boundary of said Lot 1, to the point of intersection with the Southeast boundary of the Good Roads District roadway;
Thence following the said Southeast boundary to a point where it intersects the North boundary of State Highway No. 25;
Thence running South to the North boundary of the Union Pacific Railroad right of way in the SW~~1~~4NE~~1~~4 of said Section 4;
Thence running Southeasterly on the said boundary of the Union Pacific Railroad, to a point on the East boundary of the said W~~1~~4SW~~1~~4 of Section 3;
Thence running Northerly on said East boundary and continuing on the East boundary of said SW~~1~~4NW~~1~~4, Section 3, to THE POINT OF BEGINNING.

EXCEPT that portion conveyed to the State of Idaho for highway right of way.

Parcel No. 4:

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 34: A parcel of land located in the NE~~1~~4NW~~1~~4,
described as follows:

Commencing at the North Quarter corner of said Section 34;
Thence North 89°52'03" West, 599.79 feet along the North boundary of said Section 34;
Thence South 32°25'48" West, 360.94 feet;
Thence South 28°04'20" West, 748.52 feet;
Thence South 64°39'05" East, 304.80 feet;
Thence North 81°11'38" East, 539.41 feet;
Thence South 0°08'17" East, 62.00 feet;
Thence South 89°51'38" East, 339.53 feet to the East boundary of the said NE~~1~~4NW~~1~~4 of Section 34;
Thence North 0°08'17" West, 1,074.46 feet along the East boundary of said NE~~1~~4NW~~1~~4 of Section 34 to THE POINT OF BEGINNING.