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Adjudication Bureau

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3-27

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 Parkinson Farms

My address is Rt 2253 N 3100 W  
Rt I Arco, Idaho 83213

My phone number is: Work 527:3161 Home 527:3161

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

AgAmerica, FCB, Successor in Interest To Farm Credit Bank of Spokane  
a corporation 409 Shoshone Rd Suite 25 P.O. Box 308 Twin Falls 83301

I am the new claimant/purchaser of 34-02313 34-02497 34-4008 34-10393 34-12368  
34-07176 34-02505 34-2289 34-00635 34-10403  
34-02506 34-2490 34-7145 and

water 8/21/1954 60" (Insert each water right number)  
Decrees: 8/01/1896 100"  
4/15/1976 220"

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.

warranty Deed

AgAmerica, FCB

[Signature]  
(Signature of prior claimant/seller)

Parkinson Farms By Ralph S. Far  
(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 Butte

Ralph S. Parkinson, 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.

Ralph S. Parkinson  
Signature of person filing form

By: \_\_\_\_\_  
Attorney signing in representative capacity

Subscribed and sworn to before me on March 24, 1995.  
(Insert Date)

Gene J. Thordarson  
Notary Public for Butte Co. Idaho  
Residing at: Butte, Idaho  
My Commission expires: June, 1998

## 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 May, 24, 1995, 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):

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

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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):

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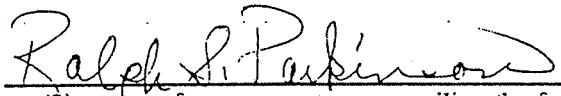
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4. One copy to:

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)

# Warranty Deed

For Value Received AGAMERICA, FCB, SUCCESSOR IN INTEREST TO FARM CREDIT BANK  
OF SPOKANE, A CORPORATION

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto  
PARKINSON FARMS, ~~AN IDAHO CORPORATION~~ a partnership  
whose address is: ROUTE 1, ARCO, ID, 83213  
2195 N. 3000 W.

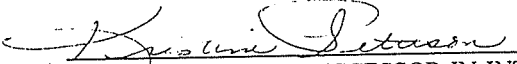
Hereinafter called the Grantee, the following described premises situated in <sup>Butte</sup>~~Bingham~~ County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances  
thereunto belonging or in anywise appertaining, including all water, water rights, ditch and  
ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to  
the Grantee's 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 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: FEBRUARY 23, 1995

  
AGAMERICA, FCB, SUCCESSOR IN INTEREST TO FARM CREDIT BANK OF SPOKANE, a  
Corporation  
BY KRISTINE PETERSON

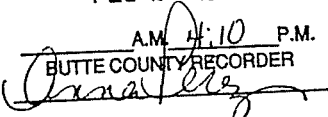
STATE OF IDAHO                    )  
                                          : ss.  
COUNTY OF BUTTE                )

On this 24TH day of FEBRUARY, 1995, before me a Notary Public in and  
for said State, personally appeared KRISTINE PETERSON, known or identified  
to me to be the AUTHORIZED AGENT of the corporation who executed the  
instrument on behalf of said corporation, and acknowledged to me that said  
corporation executed the same.

  
Notary Public for Idaho  
Residing at: BLACKFOOT, IDAHO  
My Commission expires: 4-11-2000

NO. 028864  
FILED

FEB 24 1995

A.M. 4:10 P.M.  
BUTTE COUNTY RECORDER  


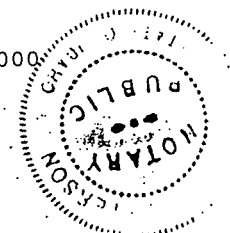


EXHIBIT "A"

**TRACT A:**

Township 3 North, Range 27 E.B.M., Butte County, Idaho

Section 18: Lots 1 and 2 and the E~~1~~/~~4~~ NW~~1~~/~~4~~, **EXCEPT:** Beginning at the NW corner Lot 1, thence S. 150 feet; thence E. 300 feet; thence N. 150 feet; thence W. 300 feet to the point of beginning, **ALSO EXCEPT:** Beginning 322.67 feet E. of the NW corner of Section 18, thence S. 89°37' E. 322.67 feet; thence S. 322.67 feet; thence N. 89°37' W. 322.67 feet; thence N. 135.0 feet to the point of beginning.

**TRACT B:**

Township 3 North, Range 26 E.B.M., Butte County, Idaho

Section 14: SE~~1~~/~~4~~

Section 23: N~~1~~/~~2~~ NE~~1~~/~~4~~; SE~~1~~/~~4~~ NE~~1~~/~~4~~; SW~~1~~/~~4~~ NE~~1~~/~~4~~

**TRACT C:**

Township 3 North, Range 26 E.B.M., Butte County, Idaho

Section 10: NE~~1~~/~~2~~ NE~~1~~/~~4~~ NE~~1~~/~~4~~ SE~~1~~/~~4~~; S~~1~~/~~2~~ NW~~1~~/~~4~~ NE~~1~~/~~4~~ NE~~1~~/~~4~~ SE~~1~~/~~4~~; S~~1~~/~~2~~ N~~1~~/~~2~~ NE~~1~~/~~4~~ SE~~1~~/~~4~~; S~~1~~/~~2~~ NE~~1~~/~~4~~ SE~~1~~/~~4~~; and SE~~1~~/~~4~~ SE~~1~~/~~4~~, **EXCEPTING** any portion lying within the following described premises: Beginning at the NW corner of the NE~~1~~/~~4~~ SE~~1~~/~~4~~ of Section 10 and running thence E. 993.2 feet; thence S. 70°07' W. 1056.2 feet; thence N. 359.2 feet to the place of beginning, **ALSO EXCEPTING THEREFROM:** Commencing at the SE corner of said Section 10, thence S. 89°54'00" W. 1320.00 feet along the Southern boundary of said Section 10 to the point of beginning, thence N. 0°05'23" E. 1315.87 feet along the Western boundary of the SE~~1~~/~~4~~ SE~~1~~/~~4~~ to the NW corner of the SE~~1~~/~~4~~ SE~~1~~/~~4~~; thence N. 89°56'07" E. 75.61 feet to the centerline of a County Road; thence S. 1°58'10" E. 1316.52 feet along the centerline of a County Road; thence S. 89°54'00" W. 118.79 feet to the point of beginning, subject to a 25 foot wide county road right-of-way along the Eastern and Southern boundaries thereof. **ALSO EXCEPTING THEREFROM:** A parcel of land located in the NE~~1~~/~~4~~ SE~~1~~/~~4~~ of said Section 10, commencing at the NW corner of the NE~~1~~/~~4~~ SE~~1~~/~~4~~ of said Section 10 and monumented with a 5/8 inch diameter iron pin; thence S. 0°00'01" E along the Westerly boundary of said NE~~1~~/~~4~~ SE~~1~~/~~4~~ 359.20 feet to the point of beginning; thence continuing S. 0°00'01" E. 295.00 feet; thence leaving said Westerly boundary N. 70°16'24" E. 107.82 feet; thence N. 2°38'41" W. 104.62 feet; thence N. 70°16'24" E. 547.84 feet; thence S. 89°57'32" W. 528.36 feet; thence S. 70°05'12" W. 89.34 feet to the point of beginning.

Section 11: S~~1~~/~~2~~; **ALSO,** Beginning at a point N. 0°06' W. 118.2 feet from the SW corner of the NW~~1~~/~~4~~; thence N. 70°24' E. 5624.4 feet, more or less, to the Butte County Highway; thence S. 0°02' E. 2042.5 feet, more or less, to the E~~1~~/~~4~~ corner of said Section 11; thence S. 89°54' W. 5301.8 feet, more or less, to the SW corner of the NW~~1~~/~~4~~ of said Section 11; thence N. 0°06' W. 118.2 feet to the place of beginning.

**EXCEPTING THEREFROM:** A parcel of land being a portion of Sections 10 and 11, Township 3 North, Range 26 E.B.M., Butte County, Idaho, to-wit: Commencing at the NE corner of said Section 11 monumented with a 5/8 inch diameter iron pin; thence N. 89°58'51" W. along the Northerly boundary of said Section 11, a distance of 529.70 feet; thence leaving said Northerly boundary S. 0°01'09" W. 803.66 feet to the point of beginning; thence S. 0°01'09" W. 70.18 feet; thence S. 72°30'49" W. 1,100.93 feet; thence N. 0°00'57" E. 25.26 feet; thence S. 70°18'44" W. 3,956.69 feet to a point on the Section line between Sections 10 and 11; thence S. 0°01'38" W. along said Section line 118.20 feet to the ~~1~~/~~4~~ corner common to said Section 10 and 11, monumented with a brass cap monument; thence leaving said Section line S. 89°57'57" W. along the center-section line of said Section 10 327.99 feet; thence S. 70°05'12" W. 2.46 feet; thence S. 0°01'12" W. 163.52 feet; thence S. 89°57'45" W. 330.28 feet; thence S. 0°00'47" W. 147.14 feet; thence N. 70°16'24" E. 5,227.29 feet; thence N. 78°49'41" E. 672.20 feet; thence N. 19°18'45" W. 278.38 feet; thence S. 70°18'44" W. 54.94 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:** Part of the NE~~1~~/~~4~~ SE~~1~~/~~4~~ of Section 11, Township 3 North, Range 26 E.B.M., Butte County, Idaho, more particularly described as:

Beginning at the NE corner of the SE~~1~~/~~4~~ of Section 11, and running thence S. 840 feet along the E. boundary of Section 11; thence W. 280 feet; thence N. 840 feet; thence E. 280 feet to the point of beginning.

**TRACT D:**

Part of the NE~~1~~/~~4~~ SE~~1~~/~~4~~ of Section 11, Township 3 North, Range 26 E.B.M., Butte County, Idaho, more particularly described as:

Beginning at the NE corner of the SE~~1~~/~~4~~ of Section 11, and running thence S. 840 feet along the E. boundary of Section 11; thence W. 280 feet; thence N. 840 feet; thence E. 280 feet to the point of beginning.

EXHIBIT A CONTINUED

TRACT E:

A portion of Lot 1 in Section 18, Township 3 North, Range 27 E.B.M., Butte County, Idaho, described as: Beginning at the NW corner of said Lot 1, thence S. 150 feet; thence E. 300 feet; thence N. 150 feet; thence W. 300 feet to the point of beginning.

EXHIBIT B

WATER LICENSE RIGHTS AS FOLLOWS:

34-02313 .  
34-07176 .  
34-02497 .  
34-02505 .  
34-02506 .  
34-4008 .  
34-2289 .  
34-2490 .  
34-10393 .  
34-00635 .  
34-7145 .  
34-12368 .

WATER DECREES AS FOLLOWS:

|           |      |
|-----------|------|
| 8/21/1954 | 60"  |
| 8/01/1896 | 100" |
| 4/15/1976 | 220" |