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MAR 27 1995

Department of Water Resources  
Adjudication Bureau

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3-27

MAR 24 1995

OFFICE OF THE  
ATTORNEY GENERAL

36-12380

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 Andy DR Chimene Smith

My address is Rt 2 Box 2014  
Paul, Id 83347

My phone number is: Work 208678-9076 Home 208 <sup>438</sup>~~678~~-5999

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

Billy & Eunice HARMON  
(New) 49 North 6<sup>th</sup> West ST. Anthony, Id. 83345

I am the new claimant/purchaser of 36-12380 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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Eunice Harmon  
(Signature of prior claimant/seller)

Chimene Smith  
(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 Minidoka

Chimene Smith  
(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); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Chimene Smith  
Signature of person filing form

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

Subscribed and sworn to before me on 3-16-95  
(Insert Date)

Megan Payne  
Notary Public for \_\_\_\_\_ Expires 9/7/95  
Residing at: \_\_\_\_\_ Notary Public  
My Commission expires: at Dec 10, 10

## 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 Mar 23, 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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Elaine Harmon Betty W. Harmon (diana)  
49 North 6th West  
\_\_\_\_\_  
\_\_\_\_\_

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):

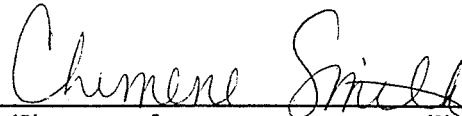
Andy or Chiemene Smith  
Rt 9 Box 2014  
Paul, Id 83347  
\_\_\_\_\_  
\_\_\_\_\_

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)

PHONE 678-2957

# SHERMAN COUCH WELL DRILLING

340 Wauna Vista Drive  
BURLEY, IDAHO 83318

DATE 12-27-84

EUNICE HARMON  
RT. 2 BOX 2014  
PAUL IDAHO 83347

Please detach and return upper portion with your remittance. \$ 1115.00

| DATE                                                                                                                                                                                               | CHARGES AND CREDITS                  | BALANCE   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------|
|                                                                                                                                                                                                    | MIN CHG. ON SHALLOW WELL             | \$800.00  |
|                                                                                                                                                                                                    | 32 ft. of 6" casing @ \$7.50 per ft. | \$240.00  |
|                                                                                                                                                                                                    | seal material                        | \$ 40.00  |
|                                                                                                                                                                                                    | CONSTRUCTION PERMIT                  | \$ 35.00  |
|                                                                                                                                                                                                    | total                                | \$1115.00 |
| All accounts are due on the 10th of the month following the month of purchase. A FINANCE CHARGE of 1 1/2% per month which is an ANNUAL PERCENTAGE RATE of 18% may be charged on past due accounts. |                                      |           |

GrayLine

"SNAP-A-WAY" FORM 44-501 2-PARTS

Your Check is Your Receipt

WILSON JONES COMPANY © 1961 PRINTED IN U.S.A.

## WELL DRILLER'S REPORT

Ball Point Pen

DRILLING PERMIT NO. 36-94-S-0295 -000

Other IDWR No.

OWNER: EUNICE HARMONAddress: RT. 2 BOX 2014City: PAUL State: ID Zip: 83347

## LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

Twp. 9 North ☐ or South ☒  
 Rge. 23 East ☒ or West ☐  
 Sec. 32 1/4 S. 1/4 1/4 NE 1/4  
 Gov't Lot \_\_\_\_\_ County MINIDOKA

Address of Well Site

lot 10 blk 1 BACON SUB City PAUL ID.

(Give at least name of road &amp; distance to road or landmark)

lot 10 Blk 1 Sub Name bacon

## PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Other \_\_\_\_\_

## TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

## DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other \_\_\_\_\_

## SEALING PROCEDURES

| SEAL/FILTER PACK | AMOUNT                       | METHOD       |
|------------------|------------------------------|--------------|
| Material         | From To Sacks or Pounds      |              |
| <u>cement</u>    | <u>1</u> <u>18</u> <u>10</u> | <u>mixed</u> |

as drive shoe used? ☐ Y ☒ Nas drive shoe seal tested? ☐ Y ☒ N How? \_\_\_\_\_

## CASING/LINER:

| Diameter  | From | To  | Gauge | Material                            | Casing                   | Liner                               | Welded                   | Threaded |
|-----------|------|-----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|----------|
| 6 5/8 x 1 | 31   | 250 | steel | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |          |
|           |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |          |
|           |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |          |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

## PERFORATIONS/SCREENS

☒ Perforations Method torch

☐ Screens Screen Type \_\_\_\_\_

| From      | To        | Slot Size  | Number    | Diameter    | Material     | Casing                              | Liner                    |
|-----------|-----------|------------|-----------|-------------|--------------|-------------------------------------|--------------------------|
| <u>25</u> | <u>29</u> | <u>1/8</u> | <u>32</u> | <u>65/8</u> | <u>steel</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## STATIC WATER LEVEL OR ARTESIAN PRESSURE:

ft. below ground Artesian pressure \_\_\_\_\_ lb.

Depth flow encountered \_\_\_\_\_ ft. Describe access port or

control devices \_\_\_\_\_

## 11. WELL TESTS:

☐ Pump ☐ Baller ☐ Air ☐ Flowing Artesian

| Yield gal./min. | Drawdown     | Pumping Level | Time          |
|-----------------|--------------|---------------|---------------|
| <u>30</u>       | <u>4 ft.</u> | <u>12</u>     | <u>30 min</u> |

Water Temp. \_\_\_\_\_

Bottom hole temp. \_\_\_\_\_

Water Quality test or comments: \_\_\_\_\_

## 12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

| Bore Dia. | From      | To        | Remarks: Lithology, Water Quality & Temperature | Y                                   | N |
|-----------|-----------|-----------|-------------------------------------------------|-------------------------------------|---|
| <u>10</u> | <u>0</u>  | <u>43</u> | <u>topsoil &amp; sand</u>                       |                                     |   |
|           | <u>4</u>  | <u>9</u>  | <u>sandy gravel</u>                             |                                     |   |
|           | <u>9</u>  | <u>16</u> | <u>brown clay</u>                               |                                     |   |
| <u>6</u>  | <u>16</u> | <u>25</u> | <u>brown sand</u>                               |                                     |   |
|           | <u>25</u> | <u>29</u> | <u>sand &amp; gravel</u>                        | <input checked="" type="checkbox"/> |   |
|           | <u>29</u> | <u>35</u> | <u>brown clay</u>                               |                                     |   |

Completed Depth 32

(Measurable)

Date: Started 12-22-94Completed 12-24-94

## 13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name SHERMAN COUCH WELL DRILLING Firm No. 161Firm Official Sherman Couch Date 12-24-94

and

Supervisor or Operator Same Date \_\_\_\_\_

(Sign once if Firm Official &amp; Operator)

FORWARD WHITE COPY TO WATER RESOURCES

WELL DRILLER: PLEASE COMPLETE FOR VERBALS

DWR Employee Issuing Verbal: DallasVerbal Issued Date: 12-22-94 Time: 9:30State of Idaho  
Department of Water ResourcesAPPLICATION FOR DRILLING PERMIT  
(FOR THE CONSTRUCTION OF A WELL)Applicant (please print): Eunice HARMONMailing Address: Rt. 2 Box 9014City & State PAUL Idaho Zip Code 83417 Telephone 438-5335☐ Well Owner ☐ Well Operator ☐ Contractor or Other, specify \_\_\_\_\_Proposed Well Location: Twp. 9 S, Rge. 23 E, Sec. 32, 5 1/2 1/4 NE 1/4 11Gov't Lot No. \_\_\_\_\_ County MILWAUKEEStreet Address of Well Site ~~2017 1/2~~ City PAULLot, block and subdivision Lot 10 Block 1 BACOWS Sub  
Give at least name of road + Distance to Road or Landmark

## 4. Proposed Use of Well:

- ☒
- DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) or for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial  
☐ Stock ☐ Test ☐ Other \_\_\_\_\_  
(Over 1,000 Head) (Describe)☐ INJECTION☐ MONITORING: A well bore schematic and map is required for each blanket permit.  
No. of proposed wells: \_\_\_\_\_

## 5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ ReplaceB. Proposed Casing Diameter 6 Proposed Maximum Depth 35C. Anticipated bottom hole temperature:  
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)6. Construction Start Date: 12-22-947. Anticipated Well Driller: Sherman Couch Driller's Lic. No. 161

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Eunice Harmon Date 12-17-94Title Owner

(Owner, Firm Representative, Other)

ENERGY CONTROL SYSTEMS  
(208)438-5655  
Rt 2 663 Primrose Lane  
Paul, Idaho 83347

Date: 12-28-94

To: Whom It May Concern Ship To: Eunice Harmon Residence

133 S 623 W

Paul, Idaho 83347

Salesman: Dennis Orton Date Shipped: 12-28-94 VIA: Dennis Orton  
-----

After the new 6" well was tied in to the existing pump I took a flow test for four (4) minutes which resulted in a flow of thirty two (32) gallons of water from the front outside faucet. On a gallon per minute basis this is 8 GPM. During the test the operating pressure of the pump was 40 PSI. This test was done 12-28-1994.

Thank You,



Dennis N. Orton

## WARRANTY DEED

For Value Received

EUNICE M. HARMON, also known as EUNICE HARMON

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ANDY L. SMITH and CHIMENE L. SMITH, husband and wife

Address: Route #2, Box 2014  
Paul, Idaho 83347Hereinafter called the Grantee, the following described premises situated in MINIDOKA County, Idaho,  
to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 3, 1995

*Eunice M. Harmon*  
EUNICE M. HARMON

STATE OF IDAHO, COUNTY OF MINIDOKA

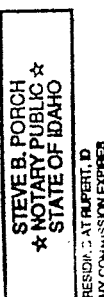
On this 3rd day of January, 19 95  
before me, a notary public in and for said State, personally appeared

EUNICE M. HARMON

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged  
to me that SHE executed the same.

*Steve B. Porch*  
Notary Public

Residing at Rupert, Idaho.  
Commission expires: 5-1-99



RESIDENCE AT RUPERT, ID  
MY COMMISSION EXPIRES

FEE 6- DEPUTY *JP*

MINIDOKA COUNTY, IDAHO  
DUANE SMITH  
RECORDER

JAN 3 4 38 PM '95

FILM NO. -

RECORDED AT REQUEST OF

416415