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APR 14 1995

Department of Water Resources
Adjudication Bureau

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APR 13 1995

OFFICE OF THE
ATTORNEY GENERAL

4-11

34-438

- 7066

- 10306

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 Matea H and John A McCray

My address is 1097 Dickson
Idaho Falls IDAHO 83402

My phone number is: Work 208-526-0117 Home 208-524-4985

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

Royal and Gloria Waddoups
Idaho, ID 83255

I am the new claimant/purchaser of 34-00438, 34-07066, 34-10306 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.

legal description - warranty deed

Sellers signature is on
the attached warranty deed

(Signature of prior claimant/seller)

Matea H McCray

(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

Marta H. McCray, 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.

Marta H. McCray
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on April 10, 1995
(Insert Date)

Phyllis Bennett
Notary Public for Idaho
Residing at: Jefferson County
My Commission expires: 5/18/96

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 April 10, 1995, 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):

N/A

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

Royal and Gloria Waddups
More, ID
83255

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):

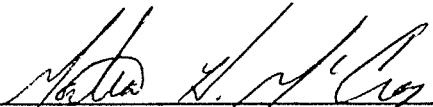
N/A

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)



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: OCTOBER 19, 1993

JOHN MC CRAY
1097 DICKSON
IDAHO FALLS ID 83402

RE: Snake River Basin Adjudication (SRBA) Notice(s) of
Claim #34-00438, -07066, -10306
Change in Ownership

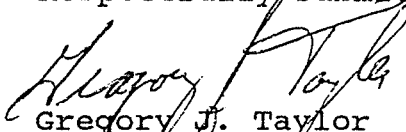
Dear Mr. Mc Cray:

We have received your Change in Ownership (Form 42-1409(7)) and have changed IDWR records to show you as the current owner.

Although IDWR records have been changed to reflect you as the current owner, SRBA Judge Daniel C. Hurlbutt, Jr. issued an Order dated June 17, 1993, requiring claimants identified in a Director's Report to use Standard Form 3 for Change in Ownerships.

I have enclosed Form 3 for your convenience. You will need to follow the directions enclosed with the form on how and where to mail the form. If you have any questions, do not hesitate to contact our department (525-7161) or the District Court in Twin Falls (736-3011).

Respectfully submitted,


Gregory J. Taylor
Sr. Water Agent, ADjudications

GT:jt

Enclosure: Standard Form 3

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED ROYAL K. WADDOUPS and
GLORIA C. WADDOUPS, Husband and wife, the Grantor,
 does hereby grant, bargain, sell and convey unto JOHN A. MCCRAY and MATEA H. MCCRAY,
Husband and wife, the Grantee,
 whose current address is Rt. 1, Box 119 B, Moore, Idaho 83255,
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

See Exhibit A.

SUBJECT TO: all easements, rights of way, covenants, restrictions,
 patent reservations, applicable building and zoning ordinances and
 use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
 thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
 to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
 defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED: November 20, 1992

Royal K. Waddoups
 Royal K. Waddoups

Gloria C. Waddoups
 Gloria C. Waddoups

STATE OF IDAHO, County of BUTTE

On this 20th day of November 1992
 before me, Lyle B. Boyer, a
 Notary Public in and for the said State personally
 appeared

Royal K. Waddoups and
Gloria C. Waddoups

Known to me to be the person(s) whose name(s)
 subscribed to the within instrument, and acknowl-
 edges to me that they executed the same.

Lyle B. Boyer

Notary Public
 Idaho

Residing at Arco
 Comm. Expires 5-31-97

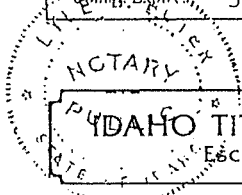
THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 026390

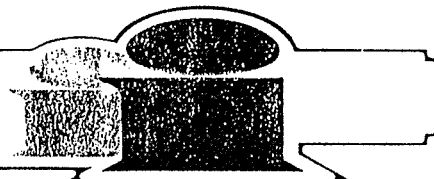
FILED

NOV 20 1992

Nov 20 1992 A.M. 4:46 P.M.
 BUTTE COUNTY RECORDER
Donna Farmer



IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance



File Number: 4664 LRT

EXHIBIT A

Township 5 North, Range 26 East, Boise Meridian, Butte County, Idaho.

Section 4: Commencing at a point 120 rods due North of the Southwest corner of said Section; thence East 160 rods; thence North 75 rods; thence West 10 rods; thence South 16 rods; thence West 150 rods thence South 59 rods to the point of beginning.

Together with a 1976 Gentry Mobile Home, 28 X 70, Serial No. 6114X.

Also including Big Lost River Irrigation District Water Rights of 60 Miner Inches, decree Date May 1, 1898, and storage: 1,593 inches in Mackay reservoir. State of Idaho Water License, Number 34-07066, for 1.18 c.f.s. with a priority date of 3-31-1974 appurtenant to 60 acres.

Also including a 30 H.P. G.E. Electric Motor, Serial No. CNJ 323287. Johnston Turbine Pump, No serial available, and 2-1/4 mile wheel move lateral sprinkler lines.