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APR 21 1995

Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

April 18, 1995

To Whom It May Concern,

In November, 1993 we purchased property owned by Omer & Venita Carter with all water rights going with the property. We were not informed of the need to fill out a Standard Form 3 transferring the ground water rights to our name at that time.

Recently, we were informed by Water Resources that the water needed to be transferred to our name. By this time the Carters have moved, from the state, and we do not know how to contact them about this matter. Consequentially, we are enclosing this letter and a copy of our Warranty Deed along with the Standard Form 3.

We hope this is all that is needed to take care of this matter. Thank you for your time.

Sincerely,

Harold S. Dimond
Carolyn T. Dimond

Harold S Dimond
Carolyn T Dimond

Enclosure

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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 Harold A Dimond & Carolyn T Dimond

I am the claimant of 36-07401
(Insert each water right number)

I have filed an objection/response to the following water right(s) 36-07401

(Insert each water right number)

My new mailing address is 3059 So 1800 E Wendell Id.

My phone number is: Work _____ Home 208-536-6547

(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 36-07401
(Insert each water right number)

My name is Harold A Dimond + Carolyn T Dimond

My address is 3059 So 1800 E Wendell Id. 83355

My phone number is: Work _____ Home 208-536-6347

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

Omer Carter + Venitta Carter
1424 A Highway 25, Jerome, Idaho 83338

Signature of prior claimant/seller

Harold A Dimond
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 Hooding

HAROLD S. Dimond, & Carolyn T Dimond, 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) (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.

Carolyn T. Dimond
Harold S. Dimond
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 4/18/95
(Insert Date)

Ruth Beebe
Notary Public for Idaho
Residing at: Wendell
My Commission expires: 10/17/97

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 April 18, 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* 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):

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):

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

Carolyn J. Demond
Harold Steinmetz

Signature of person or attorney mailing the form

WARRANTY DEED

For Value Received

OMER KENNETH CARTER and VENITA MAE CARTER, Husband and Wife

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

HAROLD S. DIMOND and CAROLYN T. DIMOND, Husband and Wife
Whose address is: 3059 South 1800 East, Wendell, Idaho 83355

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

See Exhibit "A" Attached

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: November 9, 1993

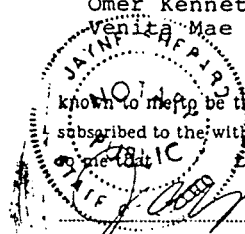
Omer Kenneth Carter
OMER KENNETH CARTER

Venita Mae Carter
VENITA MAE CARTER

STATE OF IDAHO, COUNTY OF Jerome
On this 9th day of November, 1993,
before me, a notary public in and for said State, personally appeared

Omer Kenneth Carter and
Venita Mae Carter

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.



Notary Public

Residing at Jerome, Idaho.
Commission expires: 8-21-99

RECORDED AT THE REQUEST
of Land Title & Escrow, Inc.
Nov 9 4 24 PM '93
JEROME COUNTY, IDAHO
FEES 6.00 DOR *Shreve*

934203

EXHIBIT "A"

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

Parcel No. 1:

Section 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 3;

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes by Deeds recorded February 4, 1921 in Book 71 Page 264 as Instrument Number 10240, and January 30, 1932 in Book 102 Page 235 as Instrument Number 49186, Jerome County records.

Parcel No. 2:

Section 1: Lot 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 153.27 shares of capital stock of The North Side Canal Company, Limited. *H.W. C.D.*

SUBJECT TO THE FOLLOWING:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1993, a lien, but not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Power Line Easement given by Ralph E. Shawver and Eva B. Shawver, husband and wife, to Idaho Power Company, a corporation, dated January 22, 1941, recorded May 15, 1942 in Book 120 Page 505 as Instrument Number 83859, Jerome County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 9 South, Range 18, East Boise Meridian.

Power Line Easement given by Omer Carter and Venita Carter, husband and wife, to Idaho Power Company, a corporation, dated April 18, 1962, recorded August 17, 1962 in Book 168 Page 190 as Instrument Number 151633, Jerome County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 9 South, Range 18, East Boise Meridian.

Grant of Communication Systems Easement given by Omer Kenneth Carter and Venita Mae Carter, to American Telephone and Telegraph Company, a corporation, dated February 25, 1989, recorded February 28, 1989 as Instrument Number 314901, Jerome County records.