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Department of Water Resources
Adjudication Bureau

36-7768
5-12
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MAY 15 1995

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 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 Southern Idaho Leasing, Inc.

My address is P. O. Box 94
Rupert, Idaho 83350

My phone number is: Work (208) 436-6706 Home (208) 436-4095

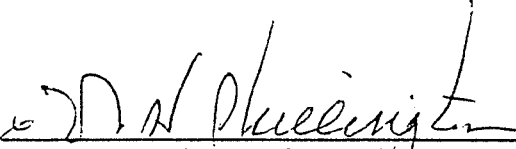
The name and address of the party who I wish to be substituted for are:

W. H. Shillington
P. O. Box 535
Rupert, Idaho 83350

I am the new ~~claimant~~ purchaser of Water Right No. 36-07768 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.

Certificate of Sale


(Signature of prior claimant/seller)
W. H. Shillington


(Signature of new claimant/purchaser)
Steven R. Schow, President

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Roger D. Ling

I am the attorney of record for Southern Idaho Leasing, Inc.
(Identify party/claimant)

My address and phone number are P. o. Box 396, Rupert, Idaho 83350
Phone: (208) 436-4717

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

Steven R. Schow, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the President of Southern Idaho Leasing, Inc.; and

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.

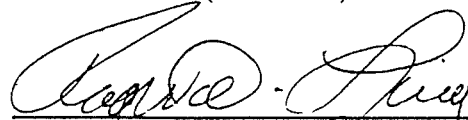


Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on this 11th day of May, 1995.

(Insert Date)



Notary/Public for Idaho
Residing at: Keegan, Idaho
My Commission expires: 10/30/2000

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 the 11th day of May, 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:

W. H. Shillington

P. O. Box 535

Rupert, Idaho 83350

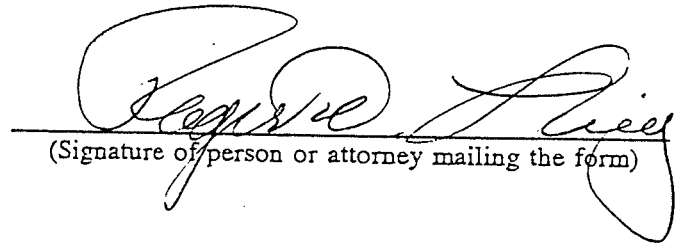
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

CERTIFICATE OF SALE

The undersigned do hereby certify that SOUTHERN IDAHO LEASING, INC., an Idaho corporation, of P. O. Box 94, Rupert, Idaho 83350, is the Purchaser under that certain Contract of Sale dated January 15, 1995, by the provisions of which W. H. SHILLINGTON and EDITH SHILLINGTON, husband and wife, of P. O. Box 535, City of Rupert, County of Minidoka, State of Idaho, owners of the real property therein described designated as the Seller, agree in writing to convey to the Purchaser, such real estate, which is described as follows:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO.

SECTION 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and LOT 4

SECTION 4: Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$ EXCEPTING THEREFROM
the following described tracts:

TRACT NO. 1: Beginning at the Northeast Corner of said Section 4; thence South 0°10' East 1212.6 feet along the East boundary of said Section 4; thence North 89°12' West 296.0 feet; thence South 0°10' East 296.0 feet; thence North 89°12' West 1021.2 feet; thence North 0°10' West 1513.6 feet; thence South 88°59' East 1317.3 feet along the North section line to the Point of Beginning.

TRACT NO. 2: Beginning at a point located South 0°10' East 1212.6 feet from the Northeast corner of said Section 4; thence South 0°10' East 296.0 feet along the East Section line; thence North 89°12' West 296.0 feet; thence North 0°10' West 296.0 feet; thence South 89°12' East 296.0 feet to the Point of Beginning.

Together with all water rights appurtenant thereto and incidental to being included within Minidoka Irrigation District and Water Right No. 36-07768, all of which are appurtenant to the above-described real property.

Such Contract is in full force and effect.

Notice is further given that any and all interest, right or title a person may acquire in the same real property by virtue of subsequent transactions with the Seller will be wholly subject to the right, interest, and equity of the undersigned in such real property, arising by virtue of the Contract of Sale.

DATED this 11th day of May, 1995.

SELLERS

W. H. Shillington
W. H. Shillington, Seller

Edith Shillington
Edith Shillington, Seller

PURCHASER

SOUTHERN IDAHO LEASING, INC.

By: Steven R. Schow
Steven R. Schow, President
P. O. Box 94
Rupert, Idaho 83350

STATE OF IDAHO

County of Blaine ss.

On this 11th day of May, 1995 before me, the undersigned Notary Public in and for said State, personally appeared W. H. Shillington and Edith Shillington, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Robert R. Perry
Notary Public for Idaho
Residing at: Rupert, Idaho
My commission expires: 10/30/2000

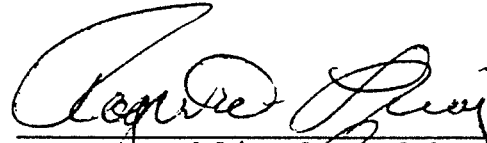
STATE OF IDAHO)

County of Miocora ss.

On this 11th day of May, 1995 before me, the undersigned Notary Public in and for said State, personally appeared Steven R. Schow, President of Southern Idaho Leasing, Inc., known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)


Notary Public for Idaho
Residing at: Rupert, Idaho
My commission expires: 10/30/96