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Department of Water Resources
Adjudication Bureau

515

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 Gene I. Erdman and Carole A. Erdman, Husband and Wife

I am the claimant of water rights as shown on the attached Exhibit
(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 15530 County Road 80, Livermore, Colorado 80536

My phone number is: Work 303/484-9525 Home 303/221-3914

☒ CONSENT TO SUBSTITUTION OF PARTY

My name is James Ryan Jones and Susan L. Jones

My address is Rt. 1, Box 22
Darlington Idaho 83231

My phone number is: Work 526-3269 Home 588-2211

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

Gene I. Erdman and Carole A. Erdman, Husband and Wife
15530 County Road 80, Livermore, Colorado 80536

I am the new claimant/purchaser of water rights as shown on the
attached Exhibit 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.

Warranty Deed No. 207962, recorded in Custer County, Idaho on December 16, 1994

James Ryan Jones
Susan L. Jones
(Signature of prior claimant/seller)

Gene I. Erdman
Carole A. Erdman
(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 Colorado

County of Larimer

Gene I. Erdman & Carole A. Erdman, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

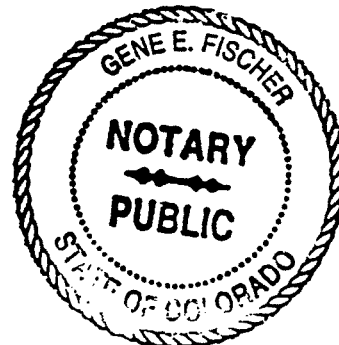
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Gene I. Erdman
Signature of person filing form
Carole A. Erdman
Carole A. Erdman

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 5/5/95
(Insert Date)

Gene E. Fischer
Notary Public for County of Larimer, State of Colo.
Residing at: 125 S Howes, Ste 900, Fort Collins, CO 80521
My Commission expires: October 27, 1996



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 8, 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):

Gene L. Erdman and Carole A. Erdman, 15530 County Road 80, Livermore, CO 80536

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

James Ryan Jones and Susan L. Jones, Route 1, Box 22, Darlington, ID 83231

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

A handwritten signature in cursive script, reading "Randy E. Lent", is written over a horizontal line.

(Signature of person or attorney mailing the form)

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED JAMES RYAN JONES and
SUSAN L. JONES, husband and wife, the Grantor,
 does hereby grant, bargain, sell and convey unto GENE I. ERDMAN and
CAROLE A. ERDMAN, husband and wife, the Grantee,
 whose current address is 15530 County Rd 80, Livermore, Colorado 80536,
 the following described real estate situated in BUTTE and CUSTER County,
 State of Idaho, to-wit:

See Attached 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.

ANY AND ALL WATER RIGHTS INCLUDING, BUT NOT LIMITED TO:

Priority Date	Decreed Inches
4-30-1884	80
6-01-1887	80
5-18-1899	63

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: 12/14/94
James Ryan Jones

Susan L. Jones
 Susan L. Jones

STATE OF IDAHO, County of BUTTE

On this 14th day of December 19 94
 before me, Lyle B. Boyer, a
 Notary Public in and for the said State personally
 appeared

James Ryan Jones
 Susan L. Jones

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

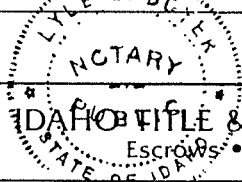
Lyle B. Boyer
 Notary Public
 Idaho
 Residing at Arco
 Comm. Expires 5-31-97

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 028694
FILED

DEC 15 1994

7:15 A.M. P.M.
 BUTTE COUNTY RECORDER
Anna Lutz



IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance

EXHIBIT 'A'

TOWNSHIP 6 NORTH. RANGE 26 EAST. BOISE MERIDIAN. BUTTE
AND CUSTER COUNTIES. IDAHO:

SECTION 18:

The NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING therefrom a parcel of land described as follows:

Beginning at the Northeast corner of Section 18, in said township and range; thence North 87°45' West, 600.00 feet; thence South 0°40' East, 217.80 feet; thence South 87°45' East, 600.00 feet; thence North 0°40' West to the Point of Beginning.

EXCEPTING ALSO a parcel of land generally described as a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 18, being more particularly described as follows:

Commencing at the NE corner of said Section 18; thence S. 89°32' 00" W., 600.00 feet along the northerly boundary of said Section 18 to the Real Point of Beginning; thence S. 89°32'00" W., 709.56 feet along the northerly boundary of said Section 18; thence S. 42°20'00" E., 379.94 feet; thence S. 72°50'24" E., 502.19 feet; thence N. 89°32'00" E., 600 feet to a point on the easterly boundary of said Section 18; thence N. 3°26'39" W., 217.80 feet along the easterly boundary of said Section 18; thence S. 89°32'00" W., 600.00 feet; thence N. 3°26'39" W., 217.80 feet to the Real Point of Beginning.

THESE TWO EXCEPTIONS are subject to a 25-foot County Road right-of-way easement along the northerly and easterly boundaries thereof and a 25-foot wide irrigation ditch easement along the westerly boundary thereof.

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00856D

SUSAN L. JONES
JAMES RYAN JONES
RT. 1
DARLINGTON ID 83231

04/30/1884 IRRIGATION

05-01 10-15

1.6 CFS

DECREED

STOCKWATER

10-16 04-30

.02 CFS

TOTAL QUANTITY:

1.6 CFS

NON-IRRIGATION-USES:

STOCKWATER, 100 RANGE CATTLE

POINT OF DIVERSION:

T06N R25E S11

SWSESW

PLACE OF USE: IRRIGATION

T06N R26E S18

NENE 31.0
NENE 40.0

NENE 40.0

SWNE 40.0

SENE 40.0

191.0 ACRES TOTAL

PLACE OF USE: STOCKWATER

SAME AS OTHER USE

REMARKS: THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE. THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY THE DIRECTOR.

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

WATER IS DELIVERED THROUGH THE BECK/MC CREEK DITCH.

USE OF THIS RIGHT WITH RIGHT NO. 34-00114D AND THE OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.16 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 477.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00507

SUSAN L. JONES
JAMES RYAN JONES

06/01/1887 IRRIGATION

05-01 10-15

1.6 CFS DECREE

RT. 1

STOCKWATER

10-16 04-30

.02 CFS

DARLINGTON ID 83231

TOTAL QUANTITY:

1.6 CFS

NON-IRRIGATION-USES:

STOCKWATER, 100 RANGE CATTLE

POINT OF DIVERSION:

T06N R25E S11

SWSESW

PLACE OF USE: IRRIGATION

T06N R26E S18

NENE 31.0
NENE 40.0

NUNE 40.0

SWNE 40.0

SENE 40.0

PLACE OF USE: STOCKWATER
SAME AS OTHER USE

REMARKS: THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED

ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE

DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE.

THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED

SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION

FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE

AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY

THE DIRECTOR.

WATER IS DELIVERED THROUGH THE BECK/MC GOWAN DITCH.

USE OF THIS RIGHT WITH RIGHT NO. 34-00114D AND THE OTHER RIGHTS

LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF

5.16 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 477.5

AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A

SINGLE IRRIGATION SEASON.

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00114D

SUSAN L. JONES
JAMES RYAN JONES
RT. 1
DARLINGTON ID 83231

05/18/1899 IRRIGATION

05-01 10-15

1.26 CFS DECREED

STOCKWATER

10-16 04-30

.02 CFS

NON-IRRIGATION-USES:

STOCKWATER, 100 RANGE CATTLE

TOTAL QUANTITY:

1.26 CFS

POINT OF DIVERSION:

T06N R25E S11

SWSEW

PLACE OF USE: IRRIGATION

T06N R26E S18

NENE 31.0
NENE 40.0

NENE 40.0

SWNE 40.0

SENE 40.0

PLACE OF USE: STOCKWATER
SAME AS OTHER USEREMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
IDAHO CODE 42-1416A.

THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE. THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY THE DIRECTOR.

WATER IS DELIVERED THROUGH BECK/MC GOWAN DITCH. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.16 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 477.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00507, 34-008560 & 34-02430.