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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

34-8000
34-12367

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 Joel V. Dye and Susan Dye

My address is Rt. 1 Box 9
Darlington, ID

My phone number is: Work (208) 527-8285 Home (208) 588-3152

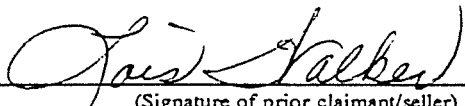
The name and address of the party who I wish to be substituted for are:

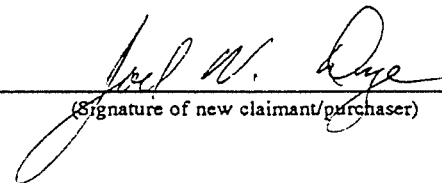
Lois Walker and Jack Walker
Rt 1 Box 119, Moore ID 83255

I am the new claimant/purchaser of #34-00800 C, and #34-12367 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.

Copy of Warranty Deed and Certificate of Sale


(Signature of prior claimant/seller)


(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 _____

County of _____

_____, 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.

Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)

Notary Public for _____
Residing at: _____
My Commission expires: _____

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 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:

Lois and Jack Walker
Rt 1 Box 119
Moore, ID 83255

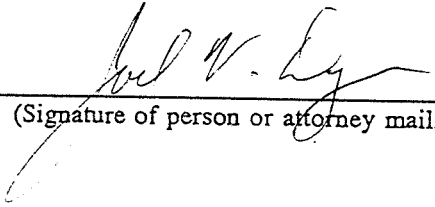
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

Rec'd 10-6-94

Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

CERTIFICATE OF SALE

Dear Member: -

In order to change our records, whether it is for an approved (by IDWR) transfer of a water right or for the recorded sale of property, we must have this form completed and returned. It will also be required to forward a copy of the recorded deed along with this certificate of sale. Your assistance and cooperation is greatly appreciated. Please note we shall continue our records unchanged until this document is received. Thank you!

SELLER LOIS & JACK WALKER BUYER JOEL V. & SUSAN DYE
ADDRESS Rt. 1 Box 119 ADDRESS Rt. 1 Box 9
CITY/STATE/ZIP Moore, ID 83255 CITY/STATE/ZIP Darlington, ID 83255
Township 5N. Range 26 E.B.M. Section 9 Quarter S½NE¼

Total Acreage Sold: Date of Sale: October 1, 1994

Please list the water rights you have sold with the above property.

	Priority Date	Decreed Inches
Surface	<u>6 / 1 / 1886</u>	<u>80</u>
Ground	<u>3 / 20 / 1961</u>	<u>61</u>
Storage	<u>___ / ___ / ___</u>	<u>1,282</u>
Mackay Reservoir	<u>___ / ___ / ___</u>	<u>___</u>
	<u>___ / ___ / ___</u>	<u>___</u>

Is there a well on this property that uses a canal in our district? NO

If so, what is the IDWR number of the well?

Does this property have a pump that is pumping directly out of our canal? NO

If so, what is the horsepower of said pump?

Type of measuring device installed?

Lois Walker 04/10/94
Signature of Seller Dated

Joel V. Dye 10/4/94
Signature of Buyer Dated

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED LOIS WALKER and JACK
WALKER, wife and husband, the Grantor,
 does hereby grant, bargain, sell and convey unto JOEL V. DYE and SUSAN DYE,
husband and wife, the Grantee,
 whose current address is Rt. 1 Box 9, Darlington, ID 8 255,
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

Township 5 North, Range 26 East, Boise Meridian, Butte County, Idaho.
 Section 9: S $\frac{1}{2}$ NE $\frac{1}{4}$

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.

ALSO INCLUDING: 80 Inches of Surface Water, Priority date 6-1-1886,
 Adjudication #34-00800 C
 67 Inches of Ground Water, Priority date 3-20-1961,
 Adjudication #34-12367
 1,282 Inches of Mackay Reservoir Storage

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: October 4, 1994

Lois Walker
 Lois Walker

Jack Walker
 Jack Walker

STATE OF IDAHO, County of BUTTE

On this 4th day of October 19 94
 before me, Lyle B. Boyer, a
 Notary Public in and for the said State personally
 appeared

Lois Walker (AKA Lois J. Walker AKA
 Jack Walker Lois Coburn Walker)

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
 Residing at _____, Idaho
 Comm. Expires: 5-31-97

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 028484
 FILED.

OCT -5 1994

11:50 A.M. P.M.
 BUTTE COUNTY RECORDER
[Signature]

IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance