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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

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Department of Water Resources
Adjudication Bureau

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)

Case No. 39576)

SUBCASE NO. 36-11584

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

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 _____

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 _____

(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 36-11584
(Insert each water right number)

My name is Land View Fertilizer, Inc.

My address is P. O. Box 86, Minidoka, Idaho 83343

My phone number is: Work (208) 531-4500 Home

The name and address of the prior claimant/seller who I wish to be substituted for are:
Patterson Farms of Idaho, Inc.

Route 1, Box 1272, Paul, Idaho 83347

PATTERSON FARMS OF IDAHO, INC.

By: Charles Patterson
Signature of prior claimant/seller President

LAND VIEW FERTILIZER, INC.

By: Roger D. Ling - Pres.
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 Roger D. Ling

Attorney of record for Land View Fertilizer, Inc.
(Identify party/claimant)

Attorney address and phone number: P. O. Box 396, Rupert, Idaho 83350
(208) 436-4717

- ☐ 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 Minidoka

Ray M. Young - PRESIDENT OF
LAND VIEW FERTILIZER, INC., 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.

LAND VIEW FERTILIZER, INC.

By: Ray M. Young - Pres.
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

June 8, 1995
(Insert Date)

Ray M. Young
Notary Public for Idaho
Residing at: Reupert, Idaho
My Commission expires: 10/30/2000

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 June 17, 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):

Roger D. Ling, Attorney at Law

LING, NIELSEN & ROBINSON

P. O. Box 396, Rupert, ID 83350

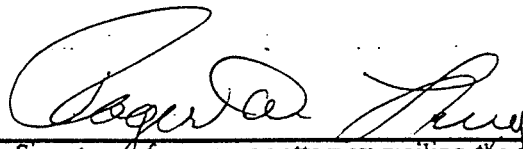
4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

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



Signature of person or attorney mailing the form

411292

✓
WARRANTY DEED

(#964)

THIS INDENTURE, made this 24th day of February, 1994, between PATTERSON FARMS OF IDAHO, INC., a corporation, hereinafter called the "Grantor", and LAND TITLE & ESCROW, INC., whose address is P.O. Box 177, Burley, Idaho, 83318, hereinafter called the "Grantee".

W I T N E S S E T H

The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of the Grantee forever, all of the following described real estate situated in the County of Minidoka, State of Idaho, to-wit:

Exhibit A attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with appurtenances unto the Grantee, and to the successors and assigns of the

Grantee.

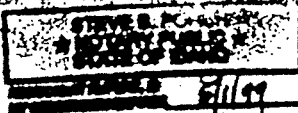
The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the successors and assigns of the Grantee, and against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid. This warranty will serve to a conveyance by the Grantee to Land View Fertilizer, Inc. on a deferred exchange agreement.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

PATTERSON FARMS OF IDAHO, INC.

Charles Patterson

On the 27th day of February, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Patterson, known or identified to me to be the President of PATTERSON FARMS OF IDAHO, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Steve R. Powers
Notary Public for Idaho
Residing at Blaine
My commission expires on 5-1-99

RECORDED AT REQUEST OF
Land Title Report
FILM NO. 111292
FEB 25 3 54 PM '94
MINIDOKA COUNTY, IDAHO
DUANE SHIFF
RECORDER
FEE 12 DEPUTY JP

EXHIBIT A

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 2: That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South $89^{\circ}12'42''$ East for 1312.11 feet along the South Section line to the 1/16th Section Corner; thence North $0^{\circ}06'30''$ East for 336.65 feet (recorded as North 04° East for 136.1 feet); along the West line of Lot 6 to a $\frac{1}{4}$ inch rebar which shall be the TRUE POINT OF BEGINNING; Thence North $0^{\circ}06'30''$ East for 247.00 feet along the West line of Lot 6;
Thence South $89^{\circ}07'21''$ East (recorded as South $89^{\circ}10'$ East) for 407.48 feet;
Thence South $89^{\circ}12'25''$ West for 104.40 feet;
Thence South $89^{\circ}18'19''$ East for 459.85 feet;
Thence South $89^{\circ}11'52''$ East for 108.50 feet;
Thence South $89^{\circ}07'11''$ East for 270.60 feet;
Thence South $89^{\circ}08'10''$ East (recorded as South $0^{\circ}50'$ West) for 227.08 feet;
Thence South $89^{\circ}17'43''$ West (recorded as North $89^{\circ}10'$ East) for 116.00 feet to the TRUE POINT OF BEGINNING.

(CONTINUED)

C.P.

TRACT NO. 2:

That part of Government Lots 5, 5, 7 and part of the NE 1/4, more particularly described as follows:

Commencing at the Southwest corner of section 7; thence South 89°12'42" East for 1312.11 feet along the South section line to the 1/15th section corner; thence North 0°06'30" East for 1243.86 feet (recorded as North 0°04' East for 1243.1 feet); along the West line of Lot 6 to a 4 inch rebar which shall be the TRUE POINT OF BEGINNING; Thence South 89°07'21" East for 407.48 feet (recorded as South 89°10' East);

Thence North 1°22'25" East for 75.45 feet;
Thence South 88°38'35" East for 159.93 feet;
Thence South 1°22'52" West for 71.54 feet;
Thence South 88°38'35" East (recorded as South 89°10'
East) for 159.93 feet to the North-easterly right
of way State of Ohio; 26'
Thence North 88°38'35" East for 141.31 feet (recorded as
North 1°22'52" West for 141.31 feet); along said right
of way to the intersection of the line of the
Ohio River and the line of the Ohio River
to the intersection of the line of the Ohio River and the
line of the Ohio River; 26'
Thence North 88°38'35" East (recorded as
North 1°22'52" West) for 141.31 feet to the West
line of the Ohio River; 26'
Thence North 88°38'35" East (recorded as
North 1°22'52" West) for 141.31 feet to the West
line of the Ohio River; 26'

...the Government Lot 6, more

[illegible]

Q.P.

411293

(1960)

✓
WARRANTY DEED

THIS INDENTURE, made this 24th day of February, 1994, between LAND TITLE & ESCROW, INC., a corporation, hereinafter called the "Grantor", and LAND VIEW FERTILIZER, INC., whose address is P.O. Box 86, Minidoka, Idaho, 83343, hereinafter called the "Grantee".

W I T N E S S E T H

The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of the Grantee forever, all of the following described real estate situated in the County of Minidoka, State of Idaho, to-wit:

Exhibit A attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with appurtenances unto the Grantee, and to the successors and assigns of the

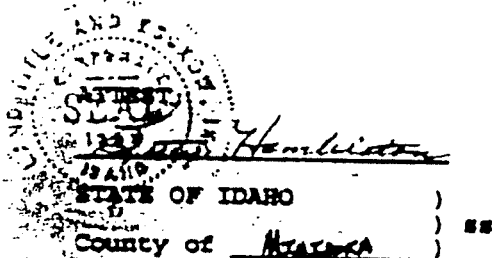
Grantee.

The Grantor shall and will warrant and by these presents, during the time it owned the property, will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the successors and assigns of the Grantee, and against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

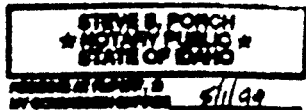
IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

LAND TITLE & ESCROW, INC.

By *[Signature]*



On this 24 day of February, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY REMATS, known or identified to me to be the PRINCIPAL of LAND TITLE & ESCROW, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



[Signature]
Notary Public for Idaho

Residing at _____

My commission expires on _____

411293
FEB 25 3 55 PM '94
Land Title & Escrow, Inc.
Blaine, Idaho

EXHIBIT A

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 2: That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South $89^{\circ}12'42''$ East for 1312.11 feet along the South Section line to the 1/16th Section Corner; thence North $0^{\circ}06'30''$ East for 996.66 feet (recorded as North 04° East for 996.1 feet); along the West line of Lot 6 to a $\frac{1}{4}$ inch rabar which shall be the TRUE POINT OF BEGINNING; Thence North $0^{\circ}06'30''$ East for 247.00 feet along the West line of Lot 6;

Thence South $89^{\circ}07'21''$ East. (recorded as South $89^{\circ}10'$ East) for 407.48 feet;

Thence South $1^{\circ}22'25''$ West for 104.40 feet;

Thence South $88^{\circ}35'39''$ East for 459.85 feet;

Thence North $1^{\circ}23'52''$ East for 108.50 feet;

Thence South $89^{\circ}07'21''$ East for 270.60 feet;

Thence South $0^{\circ}06'30''$ West (recorded as South $0^{\circ}50'$ West) for 247.00 feet;

Thence North $89^{\circ}07'21''$ West. (recorded as North $89^{\circ}10'$ West) for 1136.00 feet to the TRUE POINT OF BEGINNING.

(CONTINUED)

EXHIBIT A

TRACT NO. 2:
SECTION 2:

That part of Government Lots 5, 6, 7 and part of the NEXSW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southwest corner of section 2; thence South 89°12'42" East for 1312.11 feet along the South section line to the 1/16th Section corner; thence North 0°06'30" East for 1243.66 feet (recorded as North 0°04' East for 1243.1 feet) along the West line of Lot 5 to a $\frac{1}{4}$ inch rebar which shall be the TRUE POINT OF BEGINNING; Thence South 89°07'21" East for 407.48 feet (recorded as South 89°10' East);
Thence North 1°22'25" East for 75.45 feet;
Thence South 88°38'25" East for 459.93 feet;
Thence South 1°23'52" West for 71.54 feet;
Thence South 89°07'21" East (recorded as South 89°10' East) for 635.56 feet to the Northwesternly right of way of State Highway 24;
Thence North 40°18'35" East for 347.31 feet (recorded as North 40°20' East for 347.3 feet) along said right of way;
Thence North 89°07'21" West for 1727.17 feet (recorded as North 89°10' West for 1728.0 feet) to the West line of the NEXSW $\frac{1}{4}$;
Thence South 0°06'30" West for 268.27 feet (recorded as South 0°50" West for 268.00 feet) along the West line of the NEXSW $\frac{1}{4}$ and Lot 6 to the TRUE POINT OF BEGINNING.

TRACT NO. 3:
SECTION 2:

That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South 89°12'42" East for 1312.11 feet along the South Section line to the 1/16th Section Corner; thence North 0°06'30" East for 1243.66 feet (recorded as North 0°04' East for 1243.1 feet) along the West line of Lot 6; thence South 89°07'21" East for 407.48 feet to a $\frac{1}{4}$ inch rebar which shall be the TRUE POINT OF BEGINNING;
Thence North 1°22'25" East for 75.45 feet;
Thence South 88°38'05" East for 459.93 feet;
Thence South 1°21'52" West for 130.04 feet;
Thence North 88°36'39" West for 459.85 feet;
Thence North 1°22'25" East for 104.40 feet to the TRUE POINT OF BEGINNING.