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Department of Water Resources
Adjudication Bureau

12-13

36-2200

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 Herbert W. Poteet

My address is Rt. 4, Box 223
Rupert, Idaho 83350

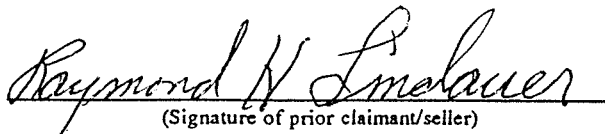
My phone number is: Work (208) 531-4170 Home same

The name and address of the party who I wish to be substituted for are:
Raymond H. Lindauer and Ethel E. Lindauer, husband and wife

I am the new claimant/purchaser of A36-02260 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 WarrantyDeed


(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

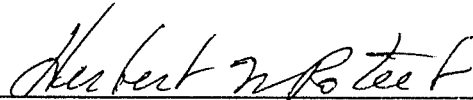
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Minidoka

Herbert W. Poteet, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

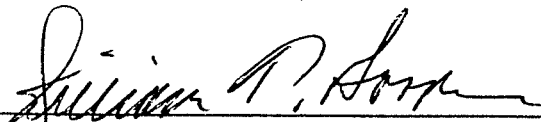
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.



Signature of person filing form
Herbert W. Poteet

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on April 20 1994.
(Insert Date)



Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission expires: 12-24-98

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 December 12, 1994, 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:

Raymond H. and Ethel E. Lindauer
P.O. Box 72, Minidoka, Idaho 83343

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):

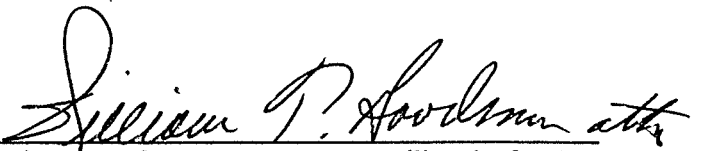
Herbert W. Poteet
Rt 4, Box 223, Rupert, ID 83350

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)

WARRANTY DEED

FOR VALUE RECEIVED RAYMOND H. LINDAUER and ETHEL E. LINDAUER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto HERBERT W. POTEET and FERN P. POTEET, husband and wife; and RICHARD F. POTEET and SHERMA POTEET, whose present address is Route # 4, Box 223, Rupert, ID 83350, the Grantees, the following described premises, located in Minidoka County, Idaho, to-wit:

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

SECTION 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 9

SAVE AND EXCEPT the following described parcels:
Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 of Township 8
South, Range 25 East of the Boise Meridian,
Minidoka County, State of Idaho.

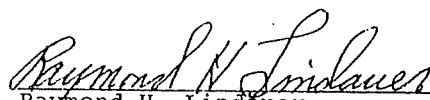
Beginning at the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 2 of T.8 S., R.25 E., B.M. said corner
marked by a U.S. Reclamation Service pipe with
brass cap which shall be the Point of Beginning;
thence S 0°46'17" E along section line for 327.43
feet to a $\frac{1}{2}$ " rebar; thence N 88°41'29" W for
218.57 feet to a $\frac{1}{2}$ " rebar; thence N 1°06'46" E for
326.93 feet to a $\frac{1}{2}$ " rebar on the north line of the
SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 88°46'15" E for 207.80 feet to
the Point of Beginning.

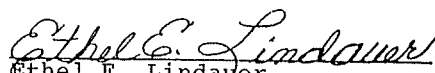
ALSO SAVE AND EXCEPTING the following described
parcel:

From a POINT OF BEGINNING which is South 88°43'
East 653.0 feet from the 1/16 corner of the Center
Section line South of Section 2, Township 8 South,
Range 25 East Boise Meridian; running thence South
0°17' East 324.1 feet; turning thence and running
North 40°20' East 417.2 feet; turning and running
thence North 88°43' West 271.7 feet more or less
to the POINT OF BEGINNING,

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantees their heirs and assigns
forever. And the said Grantors do hereby covenant to and with
the Grantees that they are the owners in fee of said premises,
that said premises are free from all encumbrances and that they
will warrant and defend the same from all lawful claims whatsoev-
er.

DATED this 20th day of April, 1994.


Raymond H. Lindauer


Ethel E. Lindauer

STATE OF IDAHO

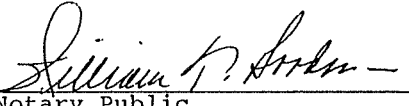
County of Minidoka

)
) ss.
)

On this 20th day of April, 1994, before me, a Notary Public in and for said State, personally appeared Raymond H. Lindauer and Ethel E. Lindauer, 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 first above written.

(SEAL)



Notary Public
Residing at Rupert, Idaho
My Commission Expires 12/24/98