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JAN 24 1995

Department of Water Resources
Adjudication Bureau

34-312B

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 Timothy S. and Karen I. Olson

My address is Rt. 1 Box 23, Moore, ID 83255

My phone number is: Work _____ Home 208-554-4013

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

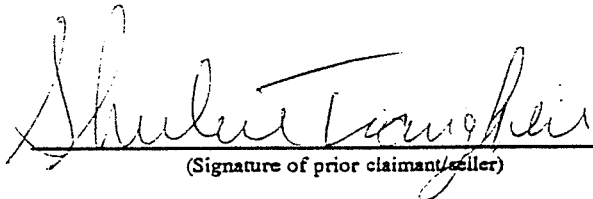
Estate of Chester E. Harper

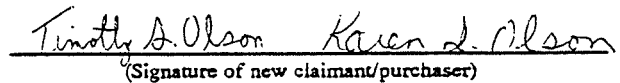
c/o Sherline Traughber, Rt. 1 Box 413 Arco, ID 83213

I am the new claimant/purchaser of 34-00312B-0001 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.

A copy of the warranty deed is attached.


(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 Butte

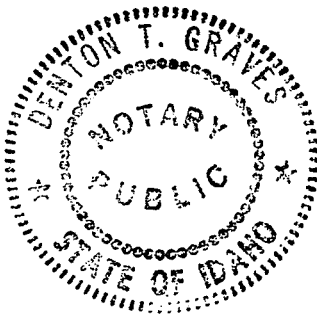
Timothy S. and Karen I. Olson, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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.

Timothy S. Olson Karen I. Olson
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on JANUARY 18, 1995.
(Insert Date)



Denton T. Graves
Notary Public for IDAHO
Residing at: Arco
My Commission expires: 4-23-97

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 January 18, 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:

Estate of Chester E. Harper
c/o Sherline Traughber
Rt. 1 Box 413, Arco, ID 83213

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):

Department of Justice
Boise Adjudication Team
380 Park Center Blvd. - Suite 300
Boise, ID 83706

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

Timothy L. Olson
(Signature of person or attorney mailing the form)

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.

TOGETHER WITH, AND INCLUDING ANY OR ALL, WATER RIGHTS AS THEY MAY NOW EXIST.

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: 28th July 1994

Darrow F. Phillips by
Donald W. Cain Sr.
(Attorney in fact)

STATE OF IDAHO, County of BUTTE

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

STATE OF IDAHO

COUNTY OF

Butte

} ss.

On this 28th day of July in the year 19 94,

before me, a Notary Public, personally appeared Donald W. Cain, Sr.

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Darrow

F. Phillips and acknowledged to me that he subscribed the name of Darrow F. Phillips thereto as principal, and his (her) own name as attorney in fact.

NO. 028248

FILED

JUL 28 1994

A.M. 4:20 P.M.

BUTTE COUNTY RECORDER

Arndt

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

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

Exhibit 'A'

TOWNSHIP 5 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

Beginning at the NE CORNER of the SW1/4 of Section 33; thence So. 242 feet; Thence W. 317 feet; thence No. 242 feet; thence E. 317 feet to the Point of Beginning.

EXCEPT right-of-way for public road on the East side of property.