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Department of Water Resources
Adjudication Bureau

36-2366 B

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 _____

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☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is RICHARD H. WAITE

My address is 2425C South 1050 East
Hagerman, ID 83332

My phone number is: Work _____ Home 837-4719

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

Pacificorp, an Oregon Corporation, successor in interest to
Pacific Power and Light Company

I am the new claimant/purchaser of A36-02366B 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 Deed and Quit Claim Deed.

PACIFICORP

By:

John E. Mooney
(Signature of prior claimant/seller)
Vice-President

[Signature]
(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

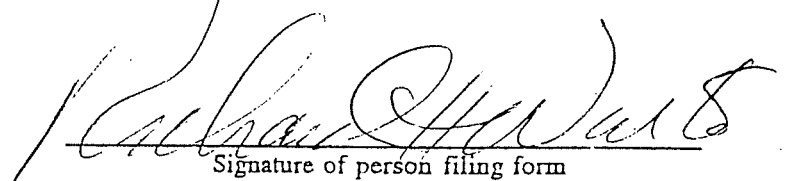
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

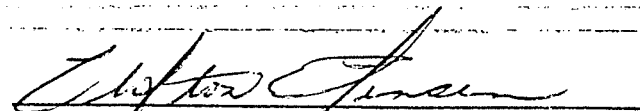
Richard H. Waite, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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
Richard H. Waite

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on DECEMBER 21, 1994.
(Insert Date)


Notary Public for Idaho
Residing at: Gooding, ID HAYERMAN, I
My Commission expires: 10-16-98 5-10-97

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 JAN. 24, 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:

Pacificorp
1407 West North Temple, Suite 110
Salt Lake City, UT 84140

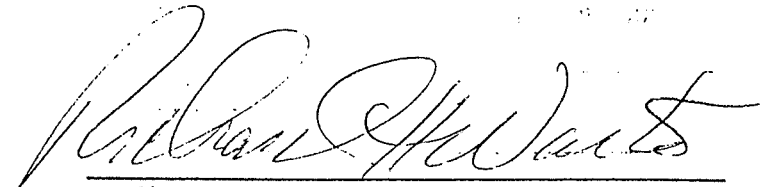
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

- ✓ 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



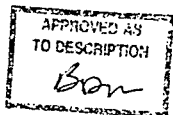
(Signature of person or attorney mailing the form)

SPECIAL WARRANTY DEED

PACIFICORP, an Oregon corporation (successor in interest by merger to Pacific Power & Light Company, an Oregon corporation), Grantor, hereby conveys and warrants to Richard H. Waite, Grantee, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described land situate in Gooding County, State of Idaho:

A tract of land located in the South Half of the Southwest Quarter (S½SW¼), Section 1, Township 7 South, Range 13 East, Boise Meridian, Gooding County, State of Idaho, more particularly described as follows:

Beginning at the south quarter corner of said Section 1; thence North 00°06'17" West, 446.41 feet to the real point of beginning; thence North 89°51'40" West, 2,289.61 feet; thence North 00°02'30" West, 873.16 feet; thence South 89°58'56" East 2,288.64 feet; thence South 00°06'17" East, 878.00 feet to the real point of beginning.



EXCEPT a 25 foot wide road right of way parallel and adjacent to the east boundary.

AND EXCEPTING AND RESERVING unto Sellers, its successors, or assigns, a perpetual easement and right of way for the erection, operation, maintenance, repair, alteration, enlargement, inspection, relocation and replacement of electric transmission and distribution lines, communications circuits, fiber optic cables and associated facilities, and poles, with the necessary guys, stubs, crossarms, braces and other attachments affixed thereto, for the support of said lines and circuits, on, over, under and across the southerly 175.0 feet of the above-described real property located in Gooding County, Idaho.

Together with all right and authority to Seller, its successors, licensees, lessees, contractors or assigns and its and their agents and employees to enter at all times upon said property to survey, construct, repair, remove, replace alter, reconstruct, patrol, inspect, improve, enlarge, and maintain said electric transmission and distribution lines, communication circuits, fiber optic cables and associated facilities, both overhead and underground, including towers, poles, other supports and control buildings, together with braces, guys, anchors, crossarms, cables, conduits, wires, conductors, manholes, transformers and other fixtures, devices and appurtenances used or useful in connection therewith, and full right and authority to cut, remove, trim or otherwise control all trees, brush and other growth on or overhanging the property.

At no time shall any fires be permitted within the boundaries of said easement and right of way (except for controlled burning--with flames no higher than six feet--of weed growth along ditch banks, incident to clearing said ditches for irrigation purposes, and except for controlled burning--with flames no higher than six feet--of stubble incident to horticultural or agricultural operations), nor shall any residential or commercial structures or inhabitable or inhabited trailers be placed

or erected within the boundaries of said right of way, nor shall any flammable material (including, but not limited to, explosives, chemical solvents, gasoline, rubbish piles, haystacks, or lumber products) be placed or stored within the boundaries of said right of way, placed or stored within the boundaries of said right of way, nor shall any equipment or material in excess of 14 feet in height be stored or moved within the boundaries of said right of way.

Subject to easements, restrictions and rights of way currently of record and/or enforceable in law or equity and the general property taxes for the year 1995 and thereafter.

Grantor specially warrants the right, title and interest hereunder conveyed against the claims of any persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed by and through its duly authorized representatives this 15th day of December, 1994.

PACIFICORP, an Oregon corporation,

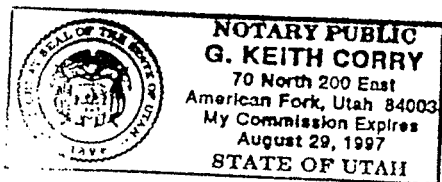
By John Mooney
Its Vice President

STATE OF UTAH

:
: ss.
:

COUNTY OF SALT LAKE

On this 15th day of December, 1994, personally appeared before me, John Mooney who being duly sworn did say that he is a Vice President of PacificCorp, an Oregon corporation, and that the within and foregoing instrument was signed by authority of said corporation and said Vice President duly acknowledged to me that said corporation executed the same.



[Signature]
Notary Public
Residing at: Utah County
My Commission expires: 8/29/97

159629

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
of 20 min. past 2 o'clock P m. this 16
Dec 1994 6.00
By JOHN A. MYERS Recorder
Debuta Setis Deputy

G-003256

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

159628

19 min. past 3 o'clock p.m. this 16
of Dec, 1994 3.00

JOHN A. MYERS Recorder

By Liberta Stis Deputy
QUIT CLAIM DEED

PACIFICORP, an Oregon corporation, dba PACIFIC POWER & LIGHT COMPANY (successor in interest by merger to Pacific Power & Light Company, an Oregon corporation), Grantor, hereby quit claims to RICHARD H. WAITE, of Gooding County, Idaho, his successors and assigns, Grantee, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract of land situate in Gooding County, State of Idaho, to-wit:

Water Right Number A36-02366B

IN WITNESS WHEREOF, Grantor has executed this Quit Claim Deed by and through its duly authorized representative this 15th day of December, 1994.

PACIFICORP, an Oregon corporation,
dba Pacific Power & Light Company

By John Mooney
Its Vice President

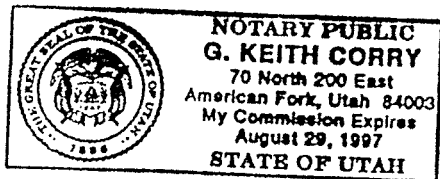
STATE OF UTAH

:
: SS

COUNTY OF SALT LAKE

:

On this 15th day of December, 1994, personally appeared before me John Mooney, who being duly sworn did say that he is a Vice President of PacificCorp, an Oregon corporation, and that the within and foregoing instrument was signed by authority of said corporation and said Vice President duly acknowledged to me that said corporation executed the same.



G. Keith Corry
Notary Public
Residing in: Utah County
My Commission expires: 8/29/97