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RECEIVED Department of Water Resources
Adjudication Bureau

FEB 06 1995

OFFICE OF THE
ATTORNEY GENERAL

2-3

36-4260C

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 _____

RECEIVED
JUL 13 1993
OFFICE OF THE
CLERK OF THE
COURT

☐ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Salmon Falls Land & Livestock Co.
My address is 123 Bell Rapids Road

My phone number is: Work 837-4917 Home _____

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

Jack F Duncan, Highland Ranch

I am the new claimant/purchaser of 36-04260C 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.

Warranty Deed

(Signature of prior claimant/seller)

Salmon Falls Land & Livestock Co.
X Mike Hendon V.P.
(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 Twin Falls

_____, 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.

Salmon Falls Land & Livestock Co.

X Mike Hershee V.P.
Signature of person filing form

By: _____

Attorney signing in representative capacity

Subscribed and sworn to before me on February 3, 1995
(Insert Date)

[Signature]
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 10-24-98

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 Feb 3, 19995, 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:

Jack E. Duncan
Pt 1 Box 293A
Dupont, Wd 83350

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

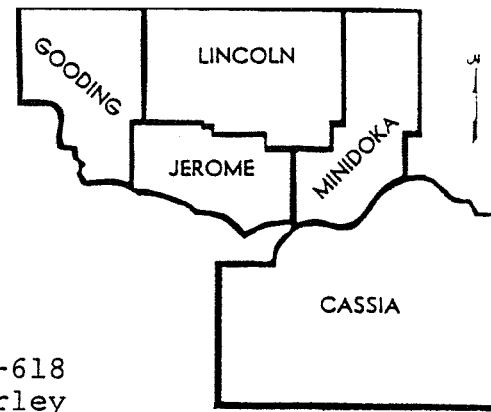
Salmon Falls Land-Livestock Co.

Mike Herslee V.P.

(Signature of person or attorney mailing the form)

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-618
OFFICE: Burley

January 23, 1995

Salmon Falls Land & Livestock Co.
c/o Mike Henslee
Bell Rapids Road
Hagerman, Idaho 83332

RE: Adjudication Claims for the Water Rights on
Highland Ranch property

Dear Mike:

Enclosed please find two letters to me from the Department of Water Resources along with the supporting documents. I have made the necessary changes on their Form 42-1409(7) and on the Assignment of Permits.

It appears that the letter dated November 30, 1994 from Judy Givens and Package No. 1 on the letter dated November 29, 1994 from Steve Clelland address the same claim number. I have sent the Standard Form 3 to Jack F. Duncan to have him sign and return to me. If I do not receive it within four or five days, one of our secretary's lives in his area and I will have her contact him at home to obtain the form.

I believe that you have had Mr. Brailsford sign the proper documentation for Package No. 2 and 3. You may want to take information for Package No. 2 and 3 to the Department of Water Resources and/or your attorney to get those changes made at your convenience.

Again, once I get Standard Form 3 from Duncans I will send it to you. I believe that should then be all you need to make the

-continued-

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0808 - FAX 436-1199

Salmon Falls Land & Livestock Co.
January 23, 1995
Page 2

proper notification to transfer the water claims.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,
LAND TITLE AND ESCROW, INC.



Larry Roberts Manager

LR/nrg
enc.

35740

WARRANTY DEED

For Value Received

HIGHLAND RANCH, a partnership, and HIGHLAND RANCH, INC., an Idaho corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto SALMON FALLS LAND & LIVESTOCK COMPANY, an Idaho corporation

Address: c/o James Henslee
123 Bell Rapids Road
Hagerman, Idaho 83332

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

See attached Exhibit "A" for legal description.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to A02-10005B, A02-07249B and A36-04260C.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1994 and subsequent years.

Easement from the United States Department of Interior, Bureau of Land Management to Magic Water Company, dated November 23, 1964, recorded March 24, 1966, as Instrument No. 562366, in Book 218 of Deeds, page 2329, records of Twin Falls County, Idaho.

Easement for roadway purposes 15 feet in width as contained in Corrected Quitclaim Deed from Robert H. Brailsford, a married man dealing with his sole and separate property to Arthur K. Simpson, Trustee of the Plateau Trust, dated November 1, 1980, recorded February 3, 1981, as Instrument No. 796972, records of Twin Falls County, Idaho.

Easement from Arthur K. Simpson, Trustee of the Plateau Trust to the Idaho Power Company, recorded August 20, 1986, as Instrument No. 907311, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 4, 1994

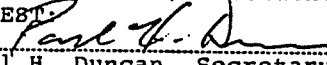
HIGHLAND RANCH, a partnership

By: 
David R. Price, Partner

HIGHLAND RANCH, INC., an Idaho corporation

By: 
David R. Price, President

ATTEST


Paul H. Duncan, Secretary

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a notary public in and for said State, personally appearedknown to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that executed the same

Notary Public

Residing at _____, Idaho.
Commission expires: _____See attached Exhibit "B" for
acknowledgementsTWIN FALLS COUNTY, IDAHO
RECORDED FOR:

TITLEFACT, Inc.

OCT -7 P 1:03

19940176321

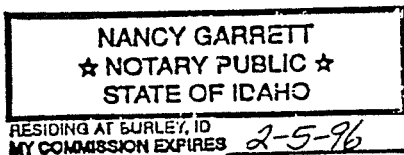
ROBERT S. FORT

OFFICIO RECORDER

DEPUTY: LF

STATE OF IDAHO)
 : ss.
County of Cassia)

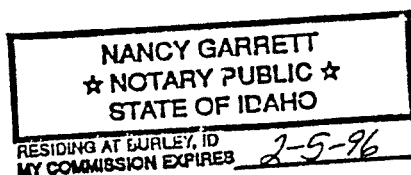
On this 5th day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID R. PRICE, known or identified to me to be the partner or one of the partners in the Partnership of Highland Ranch, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.



Nancy Garrett
Notary Public
Residing at: Burley
My Commission expires: 2-5-96

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 5th day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID R. PRICE and PAUL H. DUNCAN, known or identified to me to be the President and Secretary of 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.



Nancy Garrett
Notary Public
Residing at: Burley
My Commission expires: 2-5-96

Exhibit "A"

TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, TWIN
FALLS COUNTY, IDAHO

Section 11: SW $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12: S $\frac{1}{4}$
Section 13: All
Section 14: N $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, TWIN
FALLS COUNTY, IDAHO

Section 7: Lots 7,8; SE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$
Section 18: E $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$; Lots 1,2,3 and 4

TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, TWIN
FALLS COUNTY, IDAHO

Section 11: NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, TWIN
FALLS COUNTY, IDAHO

Section 10: S $\frac{1}{4}$ S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11: S $\frac{1}{4}$ N $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12: S $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15: N $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{4}$ S $\frac{1}{4}$ NE $\frac{1}{4}$
All Subject to Twin Falls County Highway Right of Way