

57-41A
57-4025

2-15

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.

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is John W. Jones

My address is HC 79 Box 2135, OREANA, IDAHO 83650
Owyhee County

My phone number is: Work (208) 834-2155 Home (208) 834-2155

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

I am the new claimant/purchaser of R57-00041A, R57-04025 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.

1 copy AS0729NP # R57-00041A

1 copy AS0729NP # R57-04025

1 copy WARRANTY DEED - 1/4 Township 4 South,
RANGE 1 East, B.M., Owyhee County,
IDAHO SECTION 30 - LOT 2

(Signature of prior claimant/seller)

John W. Jones
(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 Owyhee

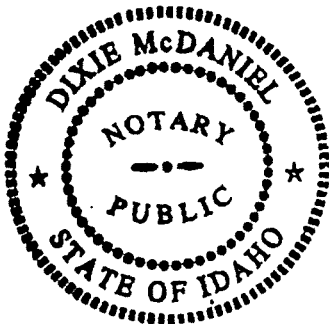
John W. Jones, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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.

John W. Jones
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on JAN 13 1995
(Insert Date)



Dixie McDaniel
Notary Public for _____
Residing at: Owyhee Co.
My Commission expires: 12-19-2000

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 _____, 199____, 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:

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)

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 _____

WARRANTY DEED

For Value Received JOANN M. BOEGER POLK AND JAMES W. POLK, wife and husband

the grantors, do hereby grant, bargain, sell and convey unto
JOHN WILLIAM JONES AND BARBARA SUSAN JONES, husband and wife

the grantees, whose current address is: HC 79 Box 120C, Melba, ID 83641
the following described premises, to-wit:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 30: Lot 2

Subject to exceptions and reservations contained in patents from
the United States.

Subject to all easements, restrictions and reservations of record
and of use.

Together with all water rights, ditch rights, rights of way,
tenements, hereditaments and appurtenances thereto belonging or
used in connection therein.

210484
FILED-RECORDED
93 JUN 7 AM 8 58
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
INDEXED
RECORDED
JUN 3 1993

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 said Grantees that they the owner s in fee simple of said premises; that said
premises are free from all incumbrances except taxes and assessments levied for the
year 1993 and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: June 4, 1993

[Signature] JoAnn M. Boeger Polk
[Signature] James W. Polk

STATE OF IDAHO, COUNTY OF OWYHEE

On this 4th day of June, 1993,
before me, a notary public in and for said State, personally
appeared

JoAnn M. Boeger Polk
James W. Polk

known to me to be the persons who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Boise, Idaho
Comm. Expires 7-10-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL
Statehouse, Room 210
P.O. Box 83720
BOISE 83720-0010

May 16, 1995

RECEIVED
JUN 28 1995
OFFICE OF THE
ATTORNEY GENERAL

ALAN G. LANCE
ATTORNEY GENERAL

RECEIVED
JUN 30 1995

Department of Water Resources
Adjudication Bureau

Telephone: (208) 334-2400
Fax: (208) 334-2530

Criminal Law Division
Fax: (208) 334-2942

Natural Resources Division
Fax: (208) 334-2680

John W. Jones
HC79, Box 2135
Oreana, ID 83650

Re: Missing SRBA Document

Dear Mr. Jones:

On February 15, 1995, a **Substitution of Party** to substitute you for Boegerpolk was filed with the SRBA District Court for water right nos. 57-00041A and 57-04025. In review of our files, we find we did not receive a copy of this document. Please send a copy to the following address:

Carrie Clark
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

Thank you for your assistance.

Sincerely,

Carrie Clark

Carrie Clark
Legal Secretary
Natural Resources Division

Dear, Carrie Clark
This was to be done by the
people who took care of the sale
of the property, if this is not
adequate please let me know
Kenneth Jones